# CHRIST'S TEACHING CONCERNING DIVORCE IN THE NEW TESTAMENT

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# CHRIST'S TEACHING

CONCERNING

# DIVORCE

## IN THE NEW TESTAMENT

*AN EXEGETICAL STUDY*

BY

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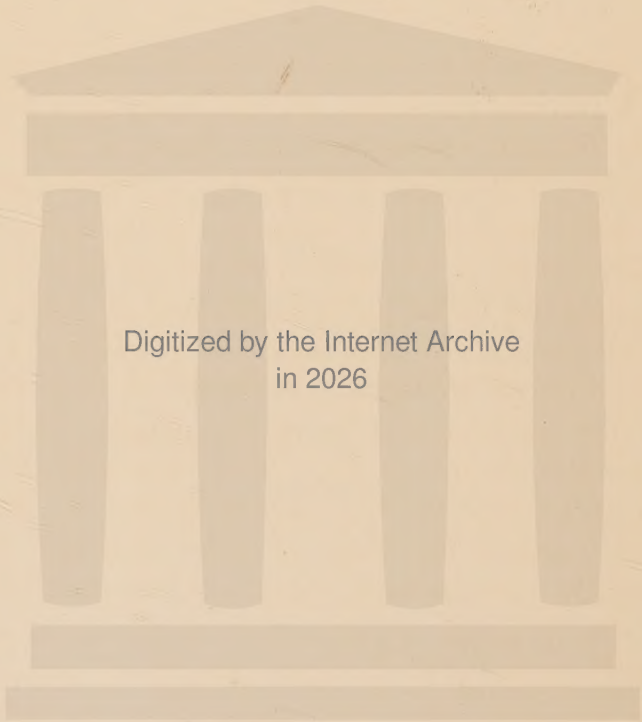

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# PREFACE

THE present Exegetical Study was begun several years ago. It was undertaken with the intimate conviction that a thorough investigation of the earliest documents of Christianity would supply a clear vindication of the indissoluble nature of Christian marriage, as distinctly maintained by the living tradition of the Roman Catholic Church, and solemnly proclaimed by the Council of Trent.[1] With this in view, the writer has examined the various passages of the sacred books of the New Testament which set forth Christ's Teaching regarding divorce. He has pursued his study of these passages on strictly scientific lines, using every means at his

[1] "If any one saith, that the Church has erred, in that she has taught, and doeth teach, in accordance with the evangelical and apostolical doctrine, that the bond of matrimony cannot be dissolved on account of the adultery of one of the married parties; and that both, or even the innocent one who gave not occasion to the adultery, cannot contract another marriage, during the lifetime of the other; and that he is guilty of adultery, who, having put away the adulteress, shall take another wife, as also she, who, having put away the adulterer, shall take another husband; let him be anathema." (Concil. Trident., Sessio. XXIV, can. vii.)

disposal to ascertain the exact meaning of Our Lord's words concerning the sacred character and binding force of the marriage tie. And the undoubted result of his inquiry is to the effect, that Christ's Law condemns as adulterous remarriage after separation of husband and wife who have consummated their valid conjugal union.

The volume opens with an Introductory Chapter which gives in a summary manner the discussion and conclusions contained in the body of the work. Although not absolutely necessary to the reader, such summary will prove, it is hoped, a useful guide through the close, and at times technical, discussion of texts, which is found in the following chapters. Of these chapters, several (chaps. ii-vi) have already appeared in the pages of the "New York Review." They are now reproduced with but slight modifications, mostly entailed by the adaptation of their text to the form which has been adopted for the remaining chapters of the work. The other chapters (chaps. vii-ix) are devoted to a close study of the passage of St. Matthew's Gospel (xix, 3-12) which has afforded most difficulty to Catholic theologians and exegetes, and which has been the main reason for non-Catholic scholars to assert that Christ authorized the practice of

divorce for the cause of a consort's unfaithfulness. The two Appendices which follow are meant, each in its own way, to complete the discussion of St. Matthew's xix, 3-12. Next comes the usual form of a Jewish bill of divorce, as likely of interest to the reader. The subjoined Bibliography gives only the principal works connected with the general question at issue. The volume concludes with three Indices by means of which the topics treated, the Scriptural passages examined or referred to, and the Jewish authorities quoted or mentioned, will easily be found.

The writer avails himself of this opportunity to express his lasting gratitude to His Eminence, the Cardinal Archbishop of New York, who has repeatedly encouraged the preparation of the present volume, and graciously allowed that when finished, the work should be dedicated to him.

St. Joseph's Seminary,
December 8, 1911.

# CONTENTS

PAGE

PREFACE ..... 5

CHAPTER

I.—INTRODUCTORY ..... 13

A Summary of the discussion and conclusions set forth in the present volume.

II.—CHRIST'S TEACHING CONCERNING DIVORCE IN ST. MARK X, 2–12..... 43

In His public discussion with "Pharisees" concerning divorce Our Lord rejects the lawfulness of divorce altogether, after proving to His adversaries that His doctrine is in agreement with the Mosaic Law, and is required by God's will "from the beginning."—In His private conversation thereupon with the Disciples, Jesus confirms this rejection of divorce, declaring adulterous remarriage after separation.

III.—CHRIST'S TEACHING CONCERNING DIVORCE IN ST. LUKE XVI, 18..... 73

Considered in themselves, Christ's words, as recorded by St. Luke, manifestly make Him declare adulterous remarriage after separation. —Considered in their context, and in their actual formulation by our third Evangelist, these same words are seen to be intended by St. Luke to ascribe to Our Lord an absolute rejection of divorce.

CHAPTER PAGE

IV.—Christ's Teaching Concerning Divorce in I Cor. VII, 10, 11 ..... 95

St. Paul, writing to " the married " Corinthian faithful subjected to the command of the Lord concerning divorce, declares the marriage tie indissoluble in virtue of that command.—This view of St. Paul's passage (I Cor. vii, 10, 11) is confirmed by the context, and by other passages of Pauline Epistles which undoubtedly declare the marriage bond as lifelong.

V.—The " Pauline Privilege " in I Cor. VII, 12–16 ..... 121

The third group of Corinthian faithful to whom St. Paul intends to give appropriate rules concerning the married state. — The Apostle views the marriage of those in this third group as contracted outside the Law of Christ, and as dissoluble, if the non-converted consort refuses to cohabit peaceably with the party who has embraced Christianity after the marriage had been contracted.—The " Pauline Privilege," an admission, not a rejection, of the Lord's command.

VI.—Christ's Teaching Concerning Divorce in Mt. V, 31, 32 (" Except because of fornication ") ..... 149

St. Matthew's exact purpose in this first passage of his Gospel.—The Jewish interpretation of the Mosaic decree concerning divorce, quoted in Mt. v, 31, treated by the Evangelist as incorrect, because it rules out Moses' requirement of the cause of fornication for a lawful dismissal, and allows remarriage after a lawful separation. —Christ's interpretation of the same Mosaic

CHAPTER PAGE

decree is presented in Mt. v, 32, as accurately fulfilling the Law, for the precisely opposite reasons.—The clause, "Except for fornication," does not set forth a ground for divorce.

VII.—Christ's Teaching Concerning Divorce in First Part of Mt. XIX, 3–12 ("What God has joined together, let not man put asunder") ..... 181

Summary of preceding chapter.—Two previous general remarks.—Christ's absolute rejection of divorce as contrary to the Law of God recorded in Gen. i, 27; ii, 24.—Examination of Mt. xix, 3-6, in the light of Mt. v, 31, 32.—Conclusions.

VIII.—Christ's Teaching Concerning Divorce in Second Part of Mt. XIX, 3–12 ("Unless for fornication") ..... 211

Precise object of the question in Mt. xix, 7. —Our Lord in His answer (Mt. xix, 8, 9) establishes the true purpose of Deut. xxiv, 1-4; insists that His demand for a higher righteousness is a Divine requirement; and, finally, gives a response to His opponents which rejects divorce absolutely and is in distinct agreement with the true purpose of Moses' decree concerning divorce. —The clause, "Unless for fornication," does not set forth a ground for divorce.

IX.—Christ's Teaching Concerning Divorce in Third Part of Mt. XIX, 3–12 (Celibacy, a state preferable to marriage) ..... 241

The Disciples' remark in Mt. xix, 10, shows that they have understood the foregoing answer

PAGE

of their Master to "Pharisees," as a total rejection of the lawfulness of divorce.—Our Lord's answer to His Disciples' remark is a confirmation of the meaning which they have taken of His words to His opponents.—General conclusions from the examination of Mt. xix, 3-12.

APPENDIX I.—THOROUGH HARMONY OF MT. XIX, 3–12, WITH MARK X, 2–12 ..... 251

The opening question of "Pharisees" in both passages is to the same effect.—Inversions and other differences in Mt. xix, 4-8, and Mark x, 3-9, stated and examined.—The differences between Mt. xix, 9-12, and Mark x, 10-12, although apparently more considerable, leave intact the agreement of our first two Synoptists.

APPENDIX II.—EXACT MEANING OF THE MOSAIC DECREE CONCERNING DIVORCE ..... 263

The traditional interpretation of the Jews stated and rejected: it ascribes to Moses a very loose divorce law.—Our Lord fulfils "the Law and the Prophets": Malachias ii, 13, sqq. quoted. —The natural meaning of Deut. xxiv, 1-4.—The expression *'erwath dabhar* denotes adultery, despite the assertion of Protestant writers to the contrary.

FORM OF A JEWISH BILL OF DIVORCE ..... 269

BIBLIOGRAPHY ..... 271

INDEX OF TOPICS ..... 275

INDEX OF SCRIPTURAL PASSAGES ..... 280

INDEX OF JEWISH AUTHORITIES QUOTED OR REFERRED TO ..... 282

# CHRIST'S TEACHING CONCERNING DIVORCE IN THE NEW TESTAMENT

## CHAPTER I

### INTRODUCTORY

THE teaching of the Roman Catholic Church regarding the important and vexed question of divorce is well defined and well known. Catholics are expressly taught that after the Christian marriage has been validly contracted and consummated divorce cannot be allowed for any reason. Separation for sufficient cause may indeed be lawful, but remarriage during the lifetime of either consort is positively forbidden under the pain of adultery. They are also taught that this strict doctrine is based on Our Lord's very injunction concerning such a marriage, and that consequently, no human power, whether of Church or State, can lawfully authorize the remarriage of either husband or wife, so long as the bond of holy matrimony has not been sundered by death.

Such is the plain teaching of the Church of God, "the pillar and ground of the truth" (I Tim. iii, 15). Its correctness is certain even irrespective of the fact that it is embodied in the inspired records of the New Testament. Before a single line of the Sacred Scriptures of the New Law had been written, the Church existed and was in possession of the oral teaching of her divine Founder on this important point. Christ's words were the law regarding the question of divorce among the Christians of St. Paul's time, and it is to this fact that the Apostle of the Gentiles bore distinct testimony when he wrote to the faithful of Corinth: "As to the married I command, yet not I, but the Lord, that the wife depart not from her husband . . . and that the husband dismiss not his wife" (I Cor. vii, 10). It is true that, at an early date, this authoritative pronouncement of Jesus was embodied in the sacred records of Christianity. But, of course, such event did not invalidate the previous testimony of the Church to Our Lord's doctrine concerning divorce. It simply added to the hitherto unwritten Christian tradition, a written one to which we may even now appeal confidently to prove that the present Catholic teaching on this point is no other than that which is ascribed to

Christ in the early documents of our faith. As a matter of fact, the use of the strictest methods of literary and historical research in the preparation of the present volume has simply confirmed in the eyes of its author the conclusive character of this appeal. And it is the object of this introductory chapter briefly to set forth the arguments which are given in detail in the body of the work, and which should bring home the same conviction to any and every examiner of the New Testament passages which bear on the question of divorce.

**St. Mark: x, 2–12.** The first of these Scriptural passages is found in St. Mark's Gospel (x, 2-12). In the first part of the passage there is recorded a public discussion of Our Lord with opponents of His, concerning the lawfulness of divorce:

Mark x.

2. And Pharisees having approached
asked Him:
Is it lawful for a man to put away a wife?
tempting Him.
3. But He answering, said to them:
What did Moses command you?
4. But they said:
Moses allowed to write a bill of divorce
and to put away.

5. But Jesus said to them:
   For your hardness of heart
   he wrote you this commandment.
6. But from the beginning of creation,
   male and female he made them.
7. On account of this a man shall leave his father
   and mother,
   and shall cleave to his wife;
8. and the two shall become one flesh;
   so that they are no longer two, but one flesh.
9. What therefore God has joined together,
   let not man put asunder.

These adversaries of Jesus are "Pharisees," the well-known sticklers for Jewish tradition, in our second Evangelical narrative (Cfr. Mk. vii, 1-13, etc.). They approach Him with a "tempting" question: "Is it lawful for a man to put away his wife?" which proves that they are aware of Christ's own rejection of that lawfulness. Confronted in reply by the unexpected question: "What did Moses command you?" (Mk. x, 3), which shows that Jesus fully knows their hostile purpose of setting Him at variance with the Mosaic lawfulness of divorce, they answer: "Moses allowed to write a bill of divorce and to put away" (x, 4). According to them, Moses' decree in Deut. xxiv:

1. When a man taketh a wife, and marrieth her, and it cometh to pass, if she find no favor in his eyes,

because he hath found in her some indecency, that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,

2. and she departeth out of his house, and goeth and becometh another man's [wife],

3. and the latter husband hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house; or if the latter husband, who took her as his wife, die;

4. her former husband who put her away, is not allowed to take her again to be his wife, after that she is defiled, for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance;

proves that Israel's lawgiver has made it lawful for a man to put away his wife so as to sever the marriage tie, under the sole condition of supplying her with a bill of divorce. Will Jesus go against this, and therefore against the Law? And now comes, prompt and decisive, Christ's own declaration. He is indeed against divorce, *but* not against *Moses* (x, 5). The Mosaic ordinance, objected to Him, was given simply on account of the hardness of the Jewish heart as proved by the deterring particulars of its text: the requirement of a bill of divorce, a manifest curtailment of a man's power in putting away his unwelcome wife; the burdensome obligation to *write,* to *deliver* that document; the solemn

warning that the dismissing husband will not be allowed to take his wife back after, thus supplied with a bill of divorce, she will have consummated a union with " another man." Nay more, Moses himself is no less opposed to divorce than Jesus, since he declares remarriage, after dismissal by a bill of divorce, an adulterous defilement (the Hebrew verb in the expression " after that she is defiled," meaning certainly *adultery*), and a veritable " abomination before Yahweh." Jesus is indeed against divorce; *but* not against the *Law* (x, 6-8). There is written in that Law (Gen. i, 27; ii, 24) that the Creator contemplated and decreed the indissolubility of marriage once consummated:

Mk. x.

6. But from the beginning of creation,
male and female he made them.
7. On account of this a man shall leave his father
and mother,
and shall cleave to his wife;
8. and the two shall become one flesh;
so that they are no longer two, but one flesh.

This law has not been superseded, nor can it be superseded:

Mk. x.

9. What therefore God has joined together,
let not man put asunder.

Together with this forcible and absolute rejection of divorce by Jesus, there is recorded in Mk. x, 2-12, a private declaration of His to the disciples, which forms the second part of that passage:

Mk. x.

10. And in the house again the disciples asked Him concerning this.
11. And He says to them:
Whoever shall put away his wife
and shall marry another,
commits adultery against her;
12. and if she, having put away her husband,
shall marry another,
commits adultery.

And as anybody can readily see, this private declaration is the plainest affirmation to the future teachers of Christ's Church, that according to Jesus, remarriage after dismissal is rank adultery. These teachers repeated Our Lord's doctrine to the early Christians, and their successors in the apostolic office have repeated it down to the present day.

St. Luke: xvi, 18. The single verse of our third Evangelist, which bears directly on divorce, ascribes to Jesus the same distinct and absolute rejection of divorce as we have seen attributed

to Him by our second Synoptist. Literally rendered, this verse reads as follows:

Lk. xvi, 18.

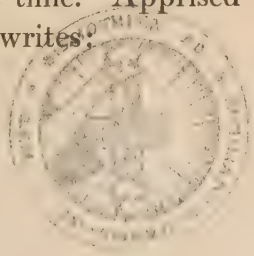
> Every one who puts away his wife
> and marries another
> commits adultery;
> and he, who marries
> one put away from a husband,
> commits adultery.

Considered in themselves, these words of Christ are so plain that their import could not be missed by traditionalistic "Pharisees" to whom they were primitively directed (Cfr. Lk. xvi, 14, 15), any more than by the unbiased reader of them at the present day. In Our Lord's eyes, a man's repudiation of his wife releases neither consort from the bond of matrimony. The dismissing husband, whoever he may be, and by whatever motive actuated, is guilty of adultery by the very fact that, knowing himself to be a divorced man, he takes another wife. In like manner, any man is an adulterer who presumes to take for his wife one whom he knows to be a divorced woman. Legal forms of divorce may have been gone through, and men may deem the marriage dissolved. Before God, separated husband and wife

are yet fully husband and wife, and the remarriage of either or of both is nothing but adultery.

And let it be borne in mind, that when these same words of Christ are closely examined either in the light of their immediate context (Cfr. Lk. xvi, 14-17), or in that of the parallel passages of St. Matthew's and St. Mark's Gospels, by means of which our third Evangelist can easily be seen to have formulated them, the absolute rejection of divorce which Lk. xvi, 18, obviously sets forth, is precisely the position which St. Luke intended to ascribe to Christ. (For details, see Chapter III.)

**I. Corinthians: vii, 10, 11.** Earlier testimony than that of St. Luke, and perhaps than that of St. Mark, is not wanting with regard to Our Lord's teaching concerning divorce. It is given by the Apostle of the Gentiles writing between 53 and 56 A.D., to the Church of Corinth, which owed him its existence, and which looked up to him for guidance. Christ's doctrine respecting divorce and virginity was well known in those early days, and it not unnaturally offered practical difficulties to Christians of St. Paul's time. Apprised of such difficulties, the Apostle writes:



I Cor. vii.

| | |
|---|---|
| 10. Τοῖς δὲ γεγαμηκόσιν παραγγέλλω, | 10. But to the married I command, |
| οὐκ ἐγὼ, ἀλλὰ ὁ Κύριος, | not I, but the Lord, |
| γυναῖκα ἀπὸ ἀνδρὸς μὴ χωρισθῆναι, | that a wife depart not from a husband, |
| 11. ἐὰν δὲ καὶ χωρισθῇ, | 11. —but and if she depart, |
| μενέτω ἄγαμος | let her remain unmarried |
| ἢ τῷ ἀνδρὶ καταλλαγήτω, | or let her be reconciled to the husband.— |
| καὶ ἄνδρα γυναῖκα μὴ ἀφιέναι. | and that a husband dismiss not a wife. |

Plainly, words like these bespeak no hesitation on St. Paul's part. Through the pure channel of oral tradition, he knows of a command of "the Lord" which no member of a Christian community can gainsay, and which to his mind settles the case submitted to him. His plain duty is to enforce such "command" upon the Christians living in matrimony (γεγαμηκόσιν) and, in consequence, he openly declares that no such husband and wife should dare to treat as severed the marriage tie (μὴ χωρισθῆναι, μὴ ἀφιέναι). This is the law of Christ, and it remains in full vigor, for whatever reason a separation, temporary or permanent, may take place:

I Cor. vii, 11.

> —but and if she depart,
> let her remain unmarried
> or let her be reconciled to the husband,—

for no separation can do away with the fact that living husband and wife are yet in the eyes of Christ and of His Apostle bound to each other by holy matrimony.

This direct interpretation of I Cor. vii, 10, 11, is strongly confirmed by the contrast which these verses present with the immediately preceding ones:

I Cor. vii.

> 8. But I say to the unmarried and the widows:
> It is good if they remain as even I.
> 9. But if they do not contain themselves, let them marry,
> for it is better to marry than to be burnt.

Whereas the Christians truly free from the marriage bond ("the unmarried and the widows") should on account of actual sins against their present state alter it and contract a lawful marriage, St. Paul admits nothing of the sort with regard to "the married" (verse 10). There occurs indeed to his mind the case of "a wife" severing, as far as in her lies, the tie which unites

her to " a husband." But, far from likening her, in her actual separation, to " the unmarried and the widows " by telling her to remarry should her isolated condition betray her into incontinency, he bids her abstain from marriage intercourse or be reconciled to the one who is still her " husband " (verse 11).

The same interpretation is next confirmed by the following context (I Cor. vii, 12-16) wherein the Apostle promulgates that which is called " the Pauline Privilege," and of which we shall speak presently. It is confirmed, finally, by those passages of his Epistles (I Cor. vii, 39; Rom. vii, 2, 3; Ephes. v, 22-33), where St. Paul's mind concerning the indissolubility of Christian marriage cannot be questioned. Of these passages, the first expressly states that the marriage bond is of lifelong duration; the second adds to this a declaration of the guilt of adultery against remarriage before death intervenes; and the third describes husband and wife as forming an unbreakable unit, after the manner of union which exists between Christ and the Church.

**"The Pauline Privilege."** Besides the two classes of persons spoken of with regard to the married state, by St. Paul in I Cor. vii, 8, 9, and I Cor. vii, 10, 11, and described as " the unmarried and

the widows," and "the married," respectively, there is a third class designated by the words, "the rest," at the beginning of I Cor. vii, 12-16:

I Cor. vii.

12. But to the rest say I, not the Lord:
If any brother has a non-believing wife
and she consents to dwell with him,
let him not dismiss her.
13. And if any wife has a non-believing husband
and he consents to dwell with her,
let her not dismiss him.
14. For the non-believing husband is hallowed in the wife,
and the non-believing wife is hallowed in the brother:
else were your children unclean; but now they are holy.
15. But if the non-believing [consort] departs,
let him depart.
The brother or the sister is not enslaved in such [cases],
but God has called us in peace.
16. For how knowest thou, O wife,
whether thou shalt save the husband?
or how knowest thou, O husband,
whether thou shalt save the wife?

This third class of persons manifestly forms a peculiar group of the Corinthian faithful ("brother," "sister," in Christ), to whom the Apostle intends to give appropriate directions

concerning their married state. They do not belong to " the unmarried and the widows," since they are actually bound by the marriage tie; nor do they belong to " the married," both of whom are Christians, since their marriage is, so to speak, mixed, through the conversion of only one consort, husband or wife, subsequently to the time when it was contracted. In view of this, St. Paul looks upon the marriage of this third class of persons, as a marriage contract made outside the Law of Christ, and as such dissoluble, if the consort who has not become a Christian, refuses to live peaceably with the converted partner. This dissolubility is admitted by the Apostle, because he does not consider that the Lord's command applies to such manner of unions (Cfr. I Cor. vii, 12a), so that his mind with regard to Christ's doctrine concerning divorce cannot be doubtful. He knows that no marriage contracted by parties subjected to Christ's Law can be dissolved otherwise than by actual death. (For details regarding the " Pauline Privilege," see Chapter V.)

St. Matthew: v, 31–32. The New Testament passages, thus far examined, set forth Our Lord's teaching concerning divorce, without placing on

His lips any restrictive clause. The case stands differently with regard to the two passages of St. Matthew's Gospel, which still remain to be considered. The first of these passages, literally rendered from the Greek, reads as follows:

Mt. v.

31. It was said also:
Whoever shall put away his wife,
let him give her a bill of divorce.
32. But I say to you that
Every one putting away his wife
except because of fornication
makes her commit adultery,
and whoever marries one put away,
commits adultery.

The fairly-minded interpreter of these verses readily sees that they contain an antithesis contrasting two sayings—that of Jewish traditionalists, and that of Jesus—which must needs be understood in the light of the exact contrast manifestly intended by the author of our first Gospel. What is this exact contrast, then? The antithesis in Mt. v, 31-32 is placed in the midst of five others (Mt. v, 21-22; 27-28; 33-37; 38-39; 43-48) which are built on the same lines as the one now under consideration. Each introduces first a solemn declaration of the sense in which

a text of the Mosaic Law had been determined by Jewish tradition, and next an authoritative opposed saying of Jesus setting forth His own interpretation of that same Law. All these antitheses are adduced by our first Evangelist for the definite purpose of illustrating the manner in which Christ's saying, differently from that of the Jewish Elders, fulfils the text of the Law to its " yod " or " tittle," although it makes that Law require for admittance into the kingdom of heaven a righteousness higher than that of the Scribes and Pharisees. (Cfr. Mt. v, 17 sqq.) It is thus seen that the two members of the antithesis in Mt. v, 31-32:

Mt. v.

31. *It was said also:*
Whoever shall put away his wife,
let him give her a bill of divorce.
32. *But I say to you* that
Every one putting away his wife
except because of fornication
makes her commit adultery,
and whoever marries one put away,
commits adultery.

give the doctrine of the Jewish authorities concerning divorce, in such contrast to that of Our Lord, that the former must be taken as an

imperfect interpretation of the written text of the Law respecting divorce, and that the latter must be taken, on the contrary, as the one which fulfils that same text to its "yod" or "tittle."

Of course, the Mosaic text concerning divorce, thus differently interpreted by Jewish tradition and by Jesus, respectively, is no other than the classical passage of Deuteronomy xxiv, 1-4:

Deut. xxiv.

1. When a man taketh a wife, and marrieth her, and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency, that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,
2. and she departeth out of his house, and goeth and becometh another man's [wife],
3. and the latter man hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house, or if the latter man who took her as his wife die;
4. her former husband who put her away is not allowed to take her again to be his wife, after that she is defiled, for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance.

On the basis of that text, Jewish expounders of the Law declared in the synagogues of Our

Lord's day that Israel's lawgiver had simply required from a man determined to put away his wife that he should give her a bill of divorce. The actual giving of that document, they maintained, severed the marriage tie as effectively as death itself, so that subsequent remarriage could not be tainted with adultery, for whatever cause a wife might have thus been dismissed. Whoever acted on this traditional interpretation secured the righteousness of the Law, whatever might be asserted to the contrary. It is in direct opposition then, to such view, that Jesus' saying was presented by St. Matthew in v, 31, 32, and that it must be understood by the interpreter who wishes to realize Our Lord's doctrine as given in that passage. In the eyes of St. Matthew, the traditional rule of the Jews was decidedly incorrect; it not only waived the cause required by Moses from the man who was determined to put away his wife, viz., " because he hath found in her some indecency," (*'erwath dabhar,* " the nakedness of a thing ") ; it also treated as lawful the remarriage of a dismissed wife who was supplied with a bill of divorce, whereas Moses had qualified this remarriage as an adulterous defilement: " after that she is defiled " (the verb טמא used in that clause, certainly denotes adultery in other

passages of the Law). The doctrine of Christ, on the contrary, fulfils perfectly, according to our first Synoptist, the requirements of the Deuteronomic text: a dismissed wife cannot remarry without committing adultery together with the man who marries her, and the dismissing husband is responsible for that adultery, if he puts her away without the specified cause: "except because of fornication" (λόγος πορνείας = *'erwath dabhar*). And thus, Christ's doctrine concerning divorce in St. Mt. v, 31, 32, stands perfectly clear before the unbiased interpreter of that passage. It is a doctrine which recognizes as lawful only a permanent separation of husband and wife for a sufficient cause, and which brands as adulterous the remarriage after separation even for the highest cause, viz., that of conjugal infidelity. It is the same doctrine as is ascribed to Our Lord in the New Testament passages already examined; the same doctrine as is expressly taught by the Roman Catholic Church down to the present day.

**St. Matthew xix, 3–12.** Had non-Catholics distinctly borne in mind the fact that the restrictive clause, "except because of fornication," does not set forth in Mt. v, 31, 32, a ground for divorce,

it is not likely that so many among them would have considered the parallel clause, "unless for fornication," in a later passage of the same Gospel (Mt. xix, 3-12) as meaning on Our Lord's part a permission to practise divorce for the sole cause of adultery. Be this as it may, there is no doubt to the careful interpreter of this passage:

Mt. xix.

3. And Pharisees approached Him
tempting Him and saying:
Is it lawful to put away one's wife
for every cause?
4. But He answering said: Have you not read that
the Creator from the beginning
made them male and female? 5. and said:
On account of this a man shall leave his father and
his mother,
and shall cleave to his wife,
and the two shall become one flesh?
6. so that they are no longer two, but one flesh.
What therefore God has joined together,
let not man put asunder.
7. They say to Him:
Why then did Moses command to give a bill of
divorce
and to put away?
8. He says to them that
Moses for your hardness of heart
allowed you to put away your wives:
but from the beginning it was not so.

9. But I say to you that
Whoever shall put away his wife
unless for fornication
and shall marry another,
commits adultery,
and he, one put away marrying,
commits adultery.
10. The disciples say to Him.
If so be the case of the man with the wife
it is not expedient to marry.
11. But He said to them:
All do not receive this saying,
but they to whom it is given.
12. For there are eunuchs who were so born from their mother's womb;
and there are eunuchs who were made eunuchs by men;
and there are eunuchs who made themselves eunuchs for the kingdom of heaven.
He who can receive [it], let him receive [it];

that our first Evangelist does not therein ascribe to His Master a doctrine opposed to the one which we have found attributed to Him in all the other passages of the New Testament.

The " tempting " opening question of " Pharisees " asks Jesus if He admits the lawfulness of divorce for every cause. This is due to the fact that these opponents of Christ are aware of His former total rejection of divorce in Mt. v, 31, 32. According to them, Jesus has therein declared

that a man may put away his wife only if he has the cause specified in Deut. xxiv, 1: "except because of fornication," and this cause He has treated as not making it lawful to remarry after dismissal, since He has expressly and absolutely added: "Whoever shall marry one put away, commits adultery." It is plain to them that Christ is totally at variance with the Mosaic lawfulness of divorce as fixed by Jewish tradition, in virtue of which a man may practise divorce by the simple giving of a bill of divorce, for whatever cause this document be given. And their present question: "Is it lawful to put away one's wife for every cause?" is for the immediate purpose of betraying Jesus publicly into a renewed expression of His total rejection of divorce. That such is the view which St. Matthew takes of that question is plain from the fact that he represents as an answer in direct opposition to the Pharisees' inquiry ("*But* He answering said"), Christ's emphatic rejection of the lawfulness of divorce:

Mt. xix.

6. What therefore God has joined together, let not man put asunder;

based on two texts of the Law (Gen. i, 27; ii,

24) which contain God's undoubted intention and explicit will that a consummated legitimate marriage shall be indissoluble.

Having secured this renewed declaration of Christ's total rejection of the lawfulness of divorce, "Pharisees" now come out with the ulterior purpose of their "tempting" question, saying: "*Why* then did Moses command to give a bill of divorce and to put away?" In the interval between the Sermon on the Mount (Mt. v) and the present interview of Pharisees with Jesus (Mt. xix), these opponents of Christ have examined His former declaration, and think themselves able to disprove His contention that His interpretation of the Mosaic decree in Mt. v, 32, fulfils that text of the Law, although it requires a higher righteousness than theirs. As they have made out, to reject the lawfulness of divorce altogether is not to require a higher righteousness that would be compatible with the Mosaic decree construed in agreement with the purpose of Israel's lawgiver. It is evident to them that Moses, in commanding to give a bill of divorce and to put away, intended to allow remarriage after a lawful dismissal of one's wife, since it is a bill of *divorce* which is enjoined, and to allow it for whatever cause—for fornication

or not—that the document be given, since it is the *giving* of a bill of divorce, and nothing more, which is required by "Moses' command to give a bill of divorce and to put away." It is no less evident to the same Pharisees, that had Jesus not willed to rule out this purpose of Moses, He would have worded His former interpretation (Mt. v, 32) of the Deuteronomic decree in agreement with its supposed framer's purpose; in which case, that declaration of His would have necessarily run as follows:

> "Whoever shall put away his wife
> for fornication or not
> and shall marry another,
> does not commit adultery,
> and the man who shall marry one put away,
> does not commit adultery." [1]

As a fact, it runs the very opposite of this. It is an interpretation of the Deuteronomic decree, in direct opposition to the lawfulness of divorce for every cause, which it was, according to Pharisees, Moses' purpose to proclaim when framing his command to give a bill of divorce and to put

[1] For details concerning this point, see Chapter VIII.—Of course the words given within quotation marks are simply for the purpose of making it obvious to the reader how Christ's former declaration (Mt. v, 32) should have run according to the mind of the Pharisees..

away. Hence, it was plain to Christ's adversaries, that if they could only induce Him to commit Himself again to the same total rejection of the lawfulness of divorce as is set forth in His former declaration (Mt. v, 32), they would have a chance to urge against Him the objection: " Why then did Moses command to give a bill of divorce and to put away? " By their " tempting " opening question, they secured that chance, and they instantly urged their prepared objection.

If " Pharisees " thought they had cornered Jesus they were soon undeceived. In His answer Jesus told them the true purpose of Moses in framing his decree regarding divorce. Israel's lawgiver had wished to root out divorce, but not deeming it possible " for the hardness of the Jewish heart," he had tolerated it, but never declared it morally right. Christ's opponents were therefore mistaken as to that purpose, and Jesus, in demanding a higher righteousness than the one required by the traditional rule, was simply vindicating a righteousness promulgated by the Creator in the opening pages of the Law (Gen. i, 27; ii, 24). Their contention, that His former interpretation of the Mosaic decree destroyed its text construed in the light of its

framer's purpose, was likewise wrong. This text was to be construed, not as they had thought in the following manner:

> "Whoever shall put away his wife
> for fornication or not
> and shall marry another
> does not commit adultery,
> and the man who shall marry one put away,
> does not commit adultery;"

but in the precisely opposite way, since the purpose of Moses was exactly the contrary of the one assigned by Jewish tradition, and this Jesus declared, saying:

Mt. xix, 9.

> But I say to you that
> Whoever shall put away his wife
> unless for fornication
> and shall marry another
> commits adultery,
> and he, one put away marrying,
> commits adultery.

Thus to understand Our Lord's answer to His opponents' objection is manifestly to take its every word in a natural sense, and to explain it in the full light of the circumstances of St. Matthew's time. It is to understand it as a victorious

answer to " Pharisees " in harmony with the fact that our first Evangelist always represents Jesus as getting the better of His adversaries when discussing with them. It is to interpret it in a manner which accounts for the fact that St. Matthew introduces here again the controversy concerning divorce which he has already given in an earlier passage. It is in particular to interpret it in harmony with the entire preceding context. On the basis of Gen. i, 27, and Gen. ii, 24, Christ emphatically declares every divorce unlawful:

Mt. xix, 6.

> What therefore God has joined together,
> let not man put asunder;

and when called upon to harmonize His former declaration (Mt. v, 32)—which He has just repeated equivalently and vindicated by anticipation—with the purpose of Moses' decree concerning divorce, He assigns to that decree an object which enables Him to construe the text of the same decree, in a manner which proves to all present that His total rejection of divorce was intended by Moses, that, despite Jewish tradition, Israel's lawgiver has required the cause of fornication for tolerating divorce, and has

qualified as adulterous remarriage after dismissal even for that cause.

It is not only, however, the preceding context, it is also the following one, which proves to the careful interpreter of Mt. xix, 3-12, that Our Lord's last words to " Pharisees " must be taken as not allowing divorce for the cause of conjugal infidelity. It is only in this way that the remark of the disciples:

Mt. xix, 10.

> If so be the case of the man with the wife it is not expedient to marry;

which St. Matthew subjoins at once, can have any meaning. The disciples argue that if their Master's doctrine concerning divorce were to hold good, marriage would be a burden better left alone. This plainly shows that they have understood Him to rule out divorce absolutely, for surely it would be unreasonable on their part to say that it is not expedient to marry if a man can divorce his wife only for adultery, unless a man has the power of unlimited divorce; all the more so, because the disciples of Shammai submitted to the view of this illustrious Rabbi when he maintained that divorce was allowable only in the case of adultery. The last part of this fol-

lowing context is likewise a confirmation of the sense we have given to Christ's final pronouncement regarding divorce. In His answer to the remark of the disciples:

Mt. xix.

11. But He said to them:
All do not receive this saying,
but they to whom it is given.
12. For there are eunuchs who were so born
from their mother's womb;
and there are eunuchs who were made eunuchs by men;
and there are eunuchs who made themselves eunuchs
for the kingdom of heaven.
He who can receive [it], let him receive [it];

Jesus does indeed find fault with something stated in that remark; but it is not with the understanding of His doctrine which it discloses. He finds fault only with the low views which have prompted the disciples to declare celibacy preferable to marriage. This clearly proves that both Christ and the Evangelist who records the incident regard the disciples as having correctly understood Jesus to reject the lawfulness of divorce altogether.

The foregoing is but a summary of the discussion set forth in the following pages. Brief as it

is, however, it should convince every unbiased mind that all the earliest records of Christianity, without exception, ascribe to Our Lord exactly the same doctrine as is taught by the Roman Catholic Church down to the present day. The same summary will prove, it is hoped, a useful guide through the more technical and more full discussion of the New Testament passages bearing on divorce, which is found in the following chapters.

## CHAPTER II

### CHRIST'S TEACHING CONCERNING DIVORCE IN ST. MARK X, 2–12

IN STARTING our investigation of the doctrine regarding divorce which the earliest documents of Christianity ascribe to Our Lord, it is only natural that we should first examine those which set it forth in the plainest manner. Among such documents is to be reckoned the Gospel of St. Mark, which according to authoritative tradition embodies St. Peter's teaching, and which, according to many recent students of the Evangelical Literature, would be our first *Greek* Gospel in respect to date of composition.[1] The present chapter will therefore be devoted to the study of Mk. x, 2-12, as of a very early record of Christ's teaching concerning divorce.

St. Mark's section may be rendered directly from the Greek, as follows:

[1] Cfr. Jacquier, *Histoire des Livres du Nouveau Testament,* vol. ii, pp. 434, 404 (Paris, 1905); Lagrange, *Evangile selon St. Marc,* p. xxxv, sqq. (Paris, 1911).

Mk. x.

2. And Pharisees having approached
asked Him (*αὐτόν*):
Is it lawful for a man to put away a wife?
tempting Him (*αὐτόν*).
3. But He answering, said to them:
What did Moses command you?
4. But they said:
Moses allowed to write a bill of divorce
and to put away.
5. But Jesus said to them:
For your hardness of heart
he wrote you this commandment.
6. But from the beginning of creation,
male and female he made them.
7. On account of this a man shall leave his father
and mother,
and shall cleave to his wife;
8. and the two shall become one flesh;
so that they are no longer two, but one flesh.
9. What therefore God has joined together,
let not man put asunder.
10. And in the house again the disciples asked Him
concerning this.
11. And He says to them:
Whoever shall put away his wife
and shall marry another,
commits adultery against her;
12. and if she, having put away her husband,
shall marry another,
commits adultery.

**I. The Question in Mk. x, 2.** The opening verse of this section bears the distinct impress of St. Mark's personal style and primitive simplicity. It begins with the direct rendering of the Hebrew conjunction וְ καὶ (and); leaves understood the precise object of the verbs "asked," "tempting," although this object, "Jesus," has not been named in the preceding context; and gives only at the end of the whole sentence the clause "tempting Him," which a more studied, but also less primitive narrator than St. Mark, would have coupled directly with the word "Pharisees" at the beginning of the verse as qualifying that subject,[1] and would have placed before their words of inquiry: "Is it lawful for a man to put away a wife?"[2] as being the secret motive which prompted Our Lord's enemies to ask Him this captious question. In particular, Mk's opening verse quotes that question in its primitive form. First of all, it naturally speaks of a man's right to divorce: "Is it lawful for *a man* to put away his wife?" for the Mosaic Law granted to the husband alone the power of severing the marriage bond. In the

[1] This is done by St. Matthew, as we shall point out when examining Mt. xix, 3–12.

[2] Mk's wording "to put away *a* wife" instead of "*his* wife," is also a very primitive form of expression.

second place, it records the words of Our Lord's adversaries in that unconditional form which is invariably found in the other places where the first three Gospels speak of a question put to Jesus as a "temptation" to Him.[1] Lastly, it has the exact wording that was suggested by their desire of betraying Him into a flagrant opposition to Moses, the great lawgiver of Israel. Their question bears on the very lawfulness (Is it *lawful?*) of divorce. They know that the Law permits a man to put away his wife. Does Jesus think this to be right? such is the purport of their question. In asking it they hope to draw from Him a statement contrary to Moses;[2] and by simply saying: "Is it lawful for a man to put away his wife?" they think that they leave Him no escape from the alternative of an unconditional "yea" or "nay:" Is it lawful, *or not,* for a man to put away his wife? As is well stated by a recent Protestant writer:[3] "These Pharisees wish to know if Jesus considers *divorce* to be wrong. They have, no doubt, heard such rumor about Him, and they ask the question, not

[1] Cfr. Mk. viii, 11; xii, 14, 15; Mt. xvi, 1; xxii, 17–18, 35–36; Lk. x, 25; xi, 16; xx, 22, 23.

[2] Cfr. B. Weiss, *Das Marcusevangelium und seine synoptischen Parallelen,* p. 330 (Berlin, 1872).

[3] Prof. Allan Menzies, *The Earliest Gospel,* p. 188 sq. (Macmillan & Co., 1901).

from an honest desire to understand His position and compare it with their own, but 'tempting' Him. If what they heard about Him is true, then He is setting Himself up against the Law, which explicitly recognizes divorce, and if He can be induced to make such a statement publicly, they will have a good charge against Him."

**II. Christ's Question in Mk. x, 3.**

That this is the correct interpretation of the mind of the Pharisees appears also from the manner in which their question was met by Our Lord, and which is naturally recorded in St. Mark's very next verse:

Mk. x, 3.

> But He answering, said to them:
> What did Moses command you?

Jesus clearly saw that the question put by His enemies bore on the lawfulness of divorce; and this is why He immediately referred them to the Law which determined what was lawful for them. He no less distinctly realized that no one would be asked by orthodox Pharisees: "Is it lawful for a man put away his wife?" unless he was regarded as liable to respond in the negative; and that, as worded, their question was meant to elicit a definite and immediate answer. In view

of this, He returned at once an answer, as was expected of Him; but He purposely gave it an interrogative form: "What did Moses command you?" which the Pharisees had not anticipated. They had hoped to take Jesus unawares, and to obtain such a reply as would appear to all in contradiction with the Mosaic Law. But in answering their question by a question, He manifestly did not commit Himself to any position, and so foiled their insidious plan.

**III. The Answer in Mk. x, 4.** It will be noticed that the Pharisees did not complain that Our Lord had misconstrued their intention. They were conscious that the view He had taken of their question and of its purpose was absolutely correct. In consequence, they hastened, as is implied in St. Mark's brief introductory formula, "but they said," to specify the regulation of Moses which they had in mind when they put their question, and against which they still hoped that Jesus would set Himself up publicly:

Mk. x, 4.

But they said:
Moses allowed to write a bill of divorce,
and to put away.

They thus referred Our Lord to Deuteronomy

xxiv, 1-4, a passage classical among them concerning divorce. In its full form, the Mosaic enactment therein contained reads literally as follows:

Deut. xxiv.

1. When a man taketh a wife, and marrieth her, and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency, that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,
2. and she departeth out of his house, and goeth and becometh another man's [wife],
3. and the latter man hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house, or if the latter man who took her as his wife die;
4. her former husband who put her away is not allowed to take her again to be his wife, after that she is defiled, for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance.[1]

The prompt and short reference of the Pharisees to this passage of the Mosaic Law bears, in their answer to Our Lord as it is given by St. Mark (x, 4), the distinct impress of primitive simplicity and rabbinical accuracy. Although

[1] This is practically the direct rendering from the Hebrew, suggested by Prof. S. R. Driver, who justly finds fault with the one given in the Authorized and the Revised Versions. Cfr. Von Hummelauer, S.J., *in Deuteronomium*, p. 408 sq. (Paris, 1901).

Jesus had asked: "What did Moses *command* you?" His adversaries carefully refrained from using in their reply the verb "to command." They employed the verb "to allow," and said: "Moses *allowed* to write a bill of divorce and to put away," [1] so as to bring their answer into a strict harmony with Deut. xxiv, 1-4. In this passage Israel's lawgiver decides explicitly not that a man is allowed to put away his wife by a bill of divorce, but that having thus divorced her, he must not take her back after she has consummated a second marriage. At the same time, as can readily be seen, in framing that decree Moses assumes the validity of the act whereby the man has dismissed his wife, and in this way permits the practice of divorce under the condition that a man shall supply his wife with a bill of divorce. Whence it appears that Our Lord's adversaries were particularly careful in answering, "Moses *allowed,*" instead of saying, "Moses *commanded*" "to write a bill of divorce and to put away." Nor were they less careful in omitting all reference to "the indecency" spoken of in Deut. xxiv, 1, as the cause for which a man would be justified in dismissing his wife. This expres-

[1] Note in Mk. x, 4 b c, the absence of the object for the verbs "to write," "to put away," which is one of the features of St. Mark's primitive simplicity.

sion of the Mosaic Law was the object of an ardent discussion in the Jewish schools of the time: while Shammai understood it solely of unchastity, Hillel took it to include almost anything calculated to render a woman distasteful to her husband.[1] Now, the Pharisees purposely did not make so much as an allusion to it, because it was their intention to set Jesus publicly at variance with what was then regarded by all as allowed by Moses. Besides, in so doing, they were consistently pursuing the aim which had prompted them to ask simply Our Lord: "Is it lawful for a man to put away his wife?" with a view to preclude every escape from the alternative of an unconditional "yea" or "nay."

**IV. Christ's Answer in Mk. x, 5–9.** As His adversaries have given a positive answer to the question of Jesus, so it now behooves Him to return a positive answer to their inquiry. This He does at once, and indeed with such distinctness that none of His hearers could easily be mistaken as to His exact mind concerning divorce:

Mk. x.

5. But Jesus said to them:
for your hardness of heart
he wrote you this commandment.

[1] Cfr. S. R. Driver, *on Deuteronomy*, p. 270 sq. (N. Y., 1895).

6. But from the beginning of creation,
male and female he made them.
7. On account of this a man shall leave his father
and mother,
and shall cleave to his wife;
8. and the two shall become one flesh;
so that they are no longer two, but one flesh.
9. What therefore God has joined together
let not man put asunder.

Whoever examines impartially this answer of Our Lord will readily admit that the one purpose which pervades it and makes it a continuous whole, is to show, in direct opposition to the Pharisees,[1] that divorce is decidedly wrong. It is with this end in view that Jesus at once bids His opponents to take notice of Moses' frame of mind in writing that part of the Law to which they have just appealed. He urges that the law-giver of the Jews drew up this enactment in view of their hardness of heart. As he knew but too well the inner unfitness of his contemporaries for a higher and better law, Moses deemed it a practical necessity to tolerate what he did not see his way to suppress. Hence Our Lord's stern indeed, but deserved, rebuke:

[1] This direct opposition is denoted by St. Mark's use of the Greek particle δὲ (but) to introduce this answer of Jesus. (Cfr. Mk's similar use of that particle in his preceding verses.)

> For your hardness of heart
> he wrote you this commandment.

In hearing it, Jesus' adversaries must have realized at once how telling it was against their own position. It pointed out to all present, the temporary character of the Mosaic legislation regarding divorce. As the Jewish lawgiver had framed it in view of a temporary necessity, it could be only of a temporary duration. Centuries therefore after it had been promulgated, its *raison d'être* might very well have ceased; so that one, like Jesus, might pronounce against it, without conflicting with it. Again, Our Lord's statement disclosed to His hearers Moses' personal aversion to the practice of divorce. It was because he had not seen his way to forbid it altogether, that Israel's lawgiver had allowed its existence among the Jews. Whence it clearly appeared that in considering divorce as wrong, Jesus, far from being at variance with Moses, was in positive harmony with him. The only way for the Pharisees to evade the force of this part of Our Lord's argument would have been to show that in Deut. xxiv, 1-4, there was no trace of a desire on the part of the Jewish lawgiver of meeting the evil inherent in divorce and of discountenancing its practice. But they must

have known too well this passage of the Mosaic Law—one very much discussed at the time, as we have said—not to feel that such an attempt could not even be thought of. In settling in Deut. xxiv, 1-4—and this is the only point directly settled in the passage—that a man must not take back his divorced wife after she has contracted a second marriage, Moses manifestly wants to compel the husband to pause before severing the marriage tie by means of a bill of divorce. This commandment duly warns him that whatever his present ill-will towards his wife, he had better be careful before proceeding to a regular divorce. He might regret such a step after a while. Chances are that his dismissed wife will meantime contract a second marriage, and he must bear in mind that in such contingency he will no longer be free to take her back. Again, this same commandment contains an implicit invitation to the husband who has actually divorced his wife, to consider the advisability of taking her back while it is still time, viz.: before "she was defiled"[1] by her union

[1] This expression which is used of the marriage of a divorced woman in Deut. xxiv, 4, is the one applied to adultery in Levit. xviii, 20; Numbers v, 13, 14, 20. Hence the significant remark of Keil: "The marriage of a divorced woman is thus treated implicitly as tantamount to adultery, and the way is prepared for the teaching of Christ on the subject of marriage, 'Whoever marrieth her that is put away, committeth adultery' in Mt. v, 32."

with another man. It thus appears that as far as an enactment can readily disclose Moses' desire of discountenancing the practice of divorce, the commandment he has directly inscribed in Deut. xxiv, 1-4, discloses it. Besides this explicit commandment, Deut. xxiv, 1-4, contains an implicit one, the very one to which the Pharisees had directly referred Our Lord, in their answer: "Moses allowed to write a bill of divorce and to put away," meaning thereby that Moses had permitted divorce under the condition that the husband supply his wife with such a document.[1] The fact that the only divorce whose validity was assumed in Deut. xxiv, 1-4, was one accompanied by the writing of a bill of divorce, had rightly led the Jews to consider this writing as required by their great lawgiver for a lawful dismissal of a man's wife. Now, to what did this regulation point if not to Moses' distinct consciousness of the evil consequences of divorce, and to a desire on his part of discouraging its use as far as it lay in his power? Moses knew to what undesirable extent the right of divorce,

[1] Apparently the answer of the Pharisees formed a *consequential sentence,* in which the consequence was expressed by the simple conjunction ו which is represented by *καί*, in St. Mark's Gospel. It is in view of this that Prof. Allan Menzies (*The Earliest Gospel,* p. 189) renders Mk. x, 4, as follows: "Moses allowed a man to put away his wife on writing a certificate of divorce for her."

vested in the man, placed a wife at the mercy of her husband; and since, owing to the hardness of heart of his people, he did not see his way to abolish divorce altogether, he wanted to regulate it in a manner that would effectively deter them from its use. Of such a nature was manifestly his regulation that the husband must supply his wife with a bill of divorce. Many a man who would have easily put away his wife by simple word of mouth, would naturally feel deterred from dismissing her by the consideration that if he wants to do so, he will have to write a bill of divorce and to get it signed by willing and reliable witnesses. Again, the writing of that bill would necessarily compel a husband to reflect, that once in the possession of his divorced wife, the document will be an undeniable proof that he has deliberately and regularly put her away, and that consequently she is henceforth perfectly entitled to refuse a reconciliation with him, however sorry he may feel for having dismissed her, or even to contract a second marriage which will for ever separate her from him.[1]

[1] These remarks are true with regard to even the simplest and most primitive form of a bill of divorce. (Cfr. J. H. Greenstone, art. "Get" (bill of divorce) in the *Jewish Encyclopedia,* vol. v, p. 646.)

It is plain, therefore, that the Pharisees could not gainsay directly Our Lord's pungent remark:

> For your hardness of heart
> he wrote you this commandment.

They could not deny the restrictive and temporary character of the Mosaic enactment concerning divorce. Still, they could object that a man was not wrong in using a permission granted, however reluctantly, by the great lawgiver of Israel. And it is to preclude this possible objection of His adversaries, that Jesus proceeds at once to show how despite [1] the toleration of divorce by Moses, divorce is radically wrong for the people of God:

Mk. x.

6. But from the beginning of creation,
   male and female he made them.
7. On account of this a man shall leave his father
   and mother,
   and shall cleave to his wife;
8. and the two shall become one flesh;
   so that they are no longer two, but one flesh.
9. What therefore God has joined together
   let not man put asunder.

[1] This opposition is denoted by Mk's use of the particle δέ (but) at the beginning of x, 6.

True it is, argues Our Lord against the Pharisees, Moses wrote "you this commandment;" but what does this fact prove? Does it prove that a man is right in putting away his wife? Assuredly not. Although tolerated by Moses, divorce is decidedly wrong because it goes against God's primitive and unchanged will anent the conjugal union between a man and a woman. To establish this position Jesus brings back His opponents to the beginning of the human race as it is described by Moses himself. Man is God's handiwork. To God's creative power man and woman owe their respective constitution which fits them for the closest human relationship, that of husband and wife:

> From the beginning of creation,
> male and female he made them. (Gen. i, 27.)

In virtue of this structural unity established by the Creator, there must exist between husband and wife a union superior to that which binds a child to his parents, a union so compelling that a man shall leave his father and mother for his wife, a union so intimate that it will make of husband and wife the one principle that transmits natural life:

> On account of this a man shall leave his father and mother,

> and shall cleave to his wife;
> and the two shall become one flesh. (Gen. ii, 24.)

The union once consummated, man and woman are no longer simply fitted for each other; they belong together and form the one principle whereby God intended from the first, and still intends to perpetuate human life. They have been thus joined together by God Himself, and plainly their physical constitution remains His after, as before, the union. The marriage tie is unbreakable according to God's primitive and unchanged will, and consequently no man has a right to put it asunder:

> so that they are no longer two, but one flesh.
> What therefore God has joined together
> let not man put asunder.

If this line of thought of Jesus means anything, it means that a man's action in dismissing his wife, even by writing for her a bill of divorce, is decidedly wrong. It remains wrong in the eyes of conscience and religion which rightly view it as opposed to the divine will, although it be treated as valid by a law which tolerates and regularizes it as a necessary evil. As is well stated by a distinguished Protestant writer:[1]

[1] Prof. Hans Hinrich Wendt, *The Teaching of Jesus,* vol. i, p. 352 sq. (Eng. Transl.)

"When the Pharisees appealed from Him to Moses, who permitted the putting away of a wife under the form of writing a bill of divorcement (Deut. xxiv, 1), He declared that this Mosaic ordinance had been given on account of the hardness of heart of the Jews. He meant that this ordinance did not prove that a man was really entitled to put away his wife, and would be held guiltless; it only prescribed a legally valid form of the dissolution in regard to the actual cases of culpable dissolution. But the original Divine decree in regard to marriage was the word spoken at creation, that a man and his wife shall become perfectly one (Mark x, 2-8). Where the union of husband and wife thus rests on a Divine command, a human divorce could not be justifiable (verse 9)."

Humanly speaking, it was a bold thing on Our Lord's part thus to stand alone denouncing divorce as intrinsically evil. Bold, indeed, it was, on His part, thus to appeal from a Mosaic regulation to the original meaning of the matrimonial institution. The remembrance of such a scene easily clung to the mind of those present, and it is only natural to regard St. Mark's account of Jesus' answer to the Pharisees on this memorable occasion, as distinctly true to fact. In vain

would we look in this passage of our second Evangelist for even a word that would betray his desire of diminishing the opposition of Jesus' doctrine to that universally received at the time. In point of fact, if St. Mark's record of the whole transaction bespeaks one concern on his part, it is that of putting into the strongest light, and at each step, the contrast which existed between Jesus and His adversaries. Again, in our second Synoptist here, we have a faithful representation of Our Lord's method of reasoning when He wishes to depart from the common view of His Jewish contemporaries. Instead of " simply grouping together the decisions of the Law in order to maintain their validity without distinction, He weighs them one against another by dwelling upon the original meaning of the institution He is discussing. He pursued precisely the same method when He considered the precept regarding the Sabbath in the light of the original purpose which governed its institution as a day of rest (Mk. ii, 27).[1] In like manner several literary particulars may be easily noticed in Our Lord's answer to the Pharisees which point to a very primitive and objective character of its account in St. Mark's Gospel. Of this

[1] Oscar Holtzmann, *The Life of Jesus*, p. 368, footn. 1. (Eng. Transl., 1904.)

description are: (1) the absence, in that account, of formulas to introduce as Scripture words borrowed from Gen. i, 27; ii, 24: Jesus naturally dispensed with such formulas in giving out words perfectly known to the Pharisees, and indeed to all present, as actual passages of Holy Writ; (2) the putting of the two passages of Genesis (i, 27; ii, 24), the one right after the other, although they are distant from each other, and are not meant to be taken together, in the original text: Jesus acted thus in harmony with the then-received methods of quoting and interpreting Holy Scripture; (3) the scrupulous accuracy with which St. Mark gave the words of Genesis without supplying the subjects, however necessary such supplying might seem to complete the sentences quoted (for instance, St. Mark wrote simply: "Male and female he made (ἐποίησεν) them," instead of "Male and female *God* made them"): Jesus had probably quoted most strictly those words as reciting them to Pharisees, that is,to men most punctilious in their quotations of the Sacred Text. Lastly, the distinct and authoritative tone of the conclusive words ascribed to Our Lord:

> What therefore God has joined together
> let not man put asunder

stamps them with that impress of originality and decision which characterized the genuine utterances of the One who "taught with authority, and not as the scribes" of the time. (Cfr. Mk. i, 22; Mt. vii, 29; Lk. iv, 32).

**V. Christ's Teaching in Mk. x, 10–12.**

Thus then, St. Mark's account of Our Lord's answer to the Pharisees bears an unimpeachable testimony to Christ's exact mind concerning divorce. It records with an equal vividness and accuracy, the captious question, "Is it lawful for a man to put away his wife?" asked Jesus by His enemies; the ready manner in which Our Lord realized its malicious purpose; the rapid exchange of opposite questions and answers between Him and His inquirers; and lastly, His solemn and unambiguous declaration that divorce is wrong because it goes against a Divinely constituted union. It thus forms one consistent whole wherein an impartial reader finds the distinct proof of Jesus' personal and emphatic condemnation of divorce, and of the narrator's truthful care of recording that condemnation in the most manifest manner. Had we therefore no further information about Christ's mind concerning divorce, we should still feel perfectly justified in

affirming that the Catholic teaching anent the absolute indissolubility of the marriage tie among Christians is no other than that ascribed to Our Lord in one of the most primitive records of Christianity. But yet this further information is forthcoming. It is supplied by St. Mark himself, and indeed in his very next verses:

Mk. x.

10. And in the house again the disciples asked Him concerning this.
11. And He says to them:
Whoever shall put away his wife
and shall marry another,
commits adultery against her;
12. And if she, having put away her husband,
shall marry another,
commits adultery.

Whoever studies these verses of our second Gospel in the light of the foregoing answer of Our Lord to the Pharisees, cannot help realizing how strongly they confirm the view we have taken of that answer. Their meaning, briefly stated, amounts to this: the union between husband and wife remains unbroken by a dismissal, so that the husband or the wife who remarries after the separation is guilty of adultery. We have therefore in these verses a second statement,

and indeed a more explicit one, of the position which Jesus has taken up in answering the question of His adversaries: "Is it lawful for a man to put away his wife?" That this position should now be more distinctly stated is naturally accounted for by the fact that Our Lord is represented as speaking no longer to the Pharisees, but to His own disciples. In addressing the former, Jesus was speaking in public, that is, under a circumstance when one usually sets forth with considerable reserve a position of his that goes against a universally received opinion of the day; He was answering a captious question asked by ill-disposed men bent on misconstruing His words, so that He had naturally to use guarded expressions that could not be found fault with, or be easily misrepresented; He was arguing with legal experts used to all kinds of chicanery, and consequently had to frame His own answer in distinct view not only of the words which they had used in their question, but also of their methods of interpreting the Law and of testing the conformity of a statement with the numerous and apparently conflicting regulations of Moses. No wonder then that, before committing Himself to a definite position and in public, Jesus first asked for the Mosaic com-

mandment in variance with which strictly orthodox Pharisees desired to place Him and next reasoned with them concerning the enactment to which they had referred Him, setting over against it other words of command found in the same Mosaic Law. In thus dealing with the question of His well-known enemies, Our Lord simply followed a manner of action which prudence would have dictated to any man under similar circumstances. But evidently this manner of action was no longer suitable in answering His disciples when they questioned Him about the lawfulness of divorce. Their asking was not prompted by a malicious intent, but by a very legitimate desire of ascertaining whether they had understood aright words of His which, in excluding every lawful cause of divorce, went beyond the strictest Jewish school of the day, viz., that of Shammai, which considered divorce as allowed only for the cause of unchastity. They were His own select and trusted friends who made their inquiry in private: "And in the house again the disciples asked Him concerning this." He could therefore speak freely and explicitly to them. Nay more, it was in every way desirable that He should do so. He had chosen them to be the continuators of His mission to the

world, the faithful heralds of His doctrine, and His doctrine on divorce was in their eyes a new one, one that went against the traditions of their race and also against all existing legislations outside of Israel. Their understanding was dull and limited, as He was well aware, and it behooved Him to speak in the plainest manner, so that they would take in the exact import of His mind concerning this important matter. This He actually did. Hence the more direct and explicit character of His answer to the disciples which appears particularly manifest when that answer is compared with the one He had made to the Pharisees:

Mk. x.

10. And in the house again the disciples asked Him concerning this.
11. And He says to them:
Whoever shall put away his wife
and shall marry another,
commits adultery against her.
12. And if she, having put away her husband,
shall marry another,
commits adultery.

This then, according to St. Mark's Gospel—that is, according to one of the earliest documents of Christ's teaching—is the full mind of the

Master speaking to men whom He keeps under His special training. He draws for them, in the plainest manner, the consequences which follow strictly from the position He has taken in public concerning divorce. As He has already proclaimed that by matrimony God Himself makes husband and wife perfectly one, and rejected divorce as unlawfully contrary to that divinely constituted union, so He now explicitly states that neither of the two parties thus joined can repudiate the other and marry again, without committing the heinous sin of adultery.

**VI. A Difficulty Examined.** It is indeed true that many contemporary critics, among whom may be mentioned V. Rose, O. P., (*Evangile selon St. Marc,* p. 94, Paris, 1905), do not admit that the last verse of St. Mark:

> and if she, having put away her husband,
> shall marry another,
> commits adultery,

contains words actually uttered by Our Lord, because Moses did not recognize to the woman the right of putting away her husband. They think that it is a sort of appendix which our second Evangelist, directly writing for the Gentiles, added in view of the Greek and Roman laws

which granted the right of dismissal to the woman as well as to the man. Of course, this manner of thinking does not interfere materially with Jesus' actual frame of mind concerning divorce: in ruling out a man's right to divorce, the Saviour, by the very fact, ruled out all divorce, if He spoke directly in view of the Mosaic law, since man's right to divorce was the only one expressly allowed by that law. Nor does it really go against the position of the Catholic apologist who maintains that the Church's prohibition of divorce under the penalty of adultery is identical with the one ascribed to Our Lord in the early documents of Christianity. We think, however, that this view of Mk. x, 12, is incorrect. The right to divorce is not Our Lord's direct object in His answer to the disciples. He wishes to tell them of the moral penalty which attaches to remarriage after the repudiation, as is clear from Mk. x, 11, where He speaks explicitly of a man marrying another wife, as committing an actual adultery. Now this remarriage may be effected by the woman, as well as by the man, in which case she also is guilty of adultery. It is not surprising therefore that Jesus should have spoken distinctly of the woman committing adultery, as is recorded

in Mk. x, 12. The woman's right to dismiss her husband was not indeed referred to in the Mosaic Law, but it was granted by the Greek and Roman laws, which were so well known in Palestine that the disciples were certainly aware of them: the Greeks and the Romans had ruled over the Holy Land for a long time and formed a considerable percentage of its population in Our Lord's day. Again, it was well known to the Jews of Christ's time that the women of the princely house of the Herods had dismissed their husbands to contract a second marriage,[1] and it is particularly significant that at the very time indicated in Mk. x, 1, Jesus was passing through the territory of Herod Antipas, who had been married to a Herodian princess who had dismissed her husband.[2] Moreover, according to A. Edersheim (*Sketches of Jewish Life in the Days of Christ,* p. 158), "the wife would insist on being divorced if her husband were a leper, or affected with polypus, or engaged in a disagreeable or dirty trade, such as that of a tanner or coppersmith; one of the cases in which divorce

[1] Cfr. Josephus, *Antiquities of the Jews,* Book xv, chap. vii, § 10, and Book xviii, chap. v, § 4.

[2] Cfr. F. C. Burkitt, *The Gospel History and its Transmission,* p. 99 sq. (T. T. Clark, Edinburgh, 1906); Knabenbauer, S.J., *in Marcum,* p. 263 sq. (Paris, 1894); Lagrange, O.P., *Evangile selon St. Marc,* p. 245 sq. (Paris, 1911).

was obligatory was, if either party had become heretical, or ceased to profess Judaism." One therefore readily sees how the Master could in answering His disciples inveigh against a Jewish custom of the day regarding a woman's dismissal of her husband, and be prompted after condemning a man's second marriage as adultery, to do the same at once in regard to a woman's second marriage. That He actually did so, as is stated in Mk. x, 12, is confirmed by St. Paul's knowledge of a distinct command of the Lord prohibiting the divorce of the wife as well as of the husband (Cfr. I Cor. vii, 10, 11).

**VII. General Conclusion.** To conclude. In Mk. x, 2-12, we find Christ's public and private condemnation of divorce. To it, the Catholic apologist may even now turn confidently, to point it out as conveying the full mind of His Master and Lord, and as manifestly identical with the teaching of the Church of God in the course of ages. In prohibiting divorce among Christians under the penalty of adultery, the Roman Catholic Church simply proves faithful to the mission intrusted to her: "Teach all nations all things whatsoever I have commanded you" (Matthew xxviii, 19 sq.). Like her Divine

Founder, she proclaims that no one bound by holy matrimony is relieved of the marriage tie however careful his or her compliance with all the requirements of a human law. In the eyes of Christ, there is no such a thing as a lawful divorce, and whoever acts as if there were and contracts a second marriage, commits adultery.

# CHAPTER III

## CHRIST'S TEACHING CONCERNING DIVORCE IN ST. LUKE XVI, 18

VIEWED in the light of literary and historical research, Mk. x, 2-12, ascribes to Our Lord a doctrine concerning divorce which is the very same as the one taught by the Roman Catholic Church down to the present day. In this passage of our second Synoptic Gospel Jesus affirms publicly that despite Moses' toleration of divorce the formal dismissal of a wife by her husband is unlawful. He proclaims in the hearing of all, that Israel's lawgiver regulated the practice of divorce, simply because, owing to the hardness of heart of his Jewish contemporaries, he did not see his way to suppress it altogether. On the basis of texts found in the book of Genesis, He argues that the Creator established from the first a perfect unity between husband and wife, and that consequently the man who presumes to break the marriage tie goes against God's primitive and unchanged will. To this plain declara-

tion of Our Lord's mind concerning divorce, St. Mark's record subjoins another which Jesus made in private to His own disciples, and which is, if anything, more explicit than the former. Of His own authority, He emphatically condemns as guilty of adultery the consort, husband or wife, who dares to attempt a second union during the lifetime of the other party. Such is the obvious meaning of Mk. x, 2-12, and the Catholic apologist has a perfect right to point it out as a distinct proof that, in maintaining the absolute indissolubility of a valid and consummated Christian marriage, the Church remains faithful to the doctrine of her Divine Founder. This passage of our second Gospel, however, is not the only one in the early documents of Christianity to which the contemporary apologist can confidently appeal for such a purpose. And it is the object of the present chapter to show that Lk. xvi, 18, bears witness to the same teaching of Christ concerning divorce as is set forth in Mk. x, 2-12.[1]

[1] The reader will find in parallel columns on a special page, at the end of this chapter: (1) the Greek text of Lk. xvi, 18, and of its parallels in Mt. and Mk.; (2) a direct translation of these passages from the original Greek. In our rendering of the second part of Lk. xvi. 18; Mt. v. 32, and xix, 9, we have preserved the Greek construction of the sentences,

**I. Christ's Teaching in Lk. xvi, 18.** The single verse which bears directly on divorce in our third Gospel may be literally rendered as follows:

Lk. xvi, 18.

> Every one who puts away his wife
> and marries another
> commits adultery;
> and he who marries
> one put away from a husband
> commits adultery.

Considered in themselves, these words of Jesus to " the Pharisees " (Cfr. Luke xvi, 14, 15) convey distinctly Christ's mind regarding divorce. In Lk. xvi, 18, as in Mk. x, 2-12, Our Lord places Himself in direct opposition to the universally-received notion of His day that the formal dismissal of a woman by her husband broke the marriage tie and made it lawful for both the dismissing man and the dismissed woman to enter upon a second marriage (Cfr. Mt. v, 31; xix, 3, 7; Mk. x, 2, 4). In His eyes, a man's dismissal of his wife releases neither consort from the bond of matrimony. Despite a man's will to set himself free from the marriage tie by putting away his wife in a legal manner, he still remains her husband before God, so that if he marries another

woman, however free this woman might herself be with regard to marriage, he is guilty of adultery:

> Every one who puts away his wife
> and marries another
> commits adultery.

Despite also a man's expressed will of releasing his wife from all marriage obligation to him, so that as far as he is concerned she is free to contract another union, she is still before God that man's wife, and in consequence, another man, however free he might otherwise be to contract a lawful marriage, cannot marry her without incurring the guilt of adultery:

> and he who marries
> one put away from a husband
> commits adultery.

It will be easily noticed that the terms used by Our Lord in Lk. xvi, 18, are such as to exclude any and every ground that would justify a second union. The dismissing husband, whoever he may be and whatever motive may actuate him (πᾶς ὁ ἀπολύων), is an adulterer (μοιχεύει) by the very fact that, knowing himself to be a divorced man, he takes another wife (καὶ γαμῶν ἑτέραν). An exactly similar consequence of the formal dis-

missal of a man's wife affects any man who unites himself in wedlock to the woman supplied with a document which proves to him that she has been regularly divorced; by the very fact that the second man enters upon a marriage with one whom he knows to be a divorced woman, he also commits adultery (*καὶ ὁ ἀπολελυμένην ἀπὸ ἀνδρὸς γαμῶν μοιχεύει*). Plainly then, according to our third, as according to our second, Synoptic Gospel, there is no such a thing as a lawful divorce. Christ's words, as recorded by both Evangelists, are to one and the same effect: the remarriage, either of a divorced man or of a divorced woman, is tainted with adultery.

**II. Lk. xvi, 18, in the Light of the Context.** A strong confirmation of the meaning just set forth as the obvious sense of Lk. xvi, 18, may be drawn from the connection of that verse with the immediately preceding verses in our third Gospel. The whole passage made up of Lk. xvi, 14-18, reads as follows:

14. And the Pharisees, being lovers of money,
also heard all these things, and scoffed at Him.
15. And He said to them:
You are those who justify yourselves before men,
but God knows your hearts;

for what is exalted among men
is an abomination before God.
16. The Law and the Prophets until John.
From that time, the Kingdom of God is announced,
and every one forces his way into it.
17. But it is easier for heaven and earth to pass away,
than for one tittle of the Law to fail.
18. Every one who puts away his wife
and marries another
commits adultery,
and he who marries
one put away from a husband
commits adultery.

Whoever is familiar with St. Luke's literary methods of composition will not doubt, for a moment, that there must be a leading idea that connects the component parts of this short section of our third Gospel.[1] Bearing this in mind, he will easily make out that this idea is no other than that of setting forth Our Lord's rebuke of the hypocrisy of the Pharisees who deceived men, but not God, by their loud professions of the highest regard for the Law in its minutest particulars. According to these conceited leaders of the Jews, the Law was ever to be maintained

[1] In point of fact, the manner in which St. Luke has *inverted* two verses of our first Gospel (Mt. xi, 12, 13), to frame out of them one single verse of this section (Lk. xvi, 16), shows that the component elements of Lk. xvi, 14–18, were not put together without any actual deliberation on the part of our third Evangelist.

among the chosen people, so that, at no time, could any of its provisions be considered as antiquated. How then, argued Jesus,[1] could they without hypocrisy, treat as null and void one of the most important and clearest enactments of the Law, viz.: the primitive Divine command in Gen. ii, 24, which proclaimed the absolute indissolubility of the marriage tie? The point was all the better taken because these enemies of the Saviour often accused Him of destroying the Law. No, it was not He—any more than John, who before Him had announced the kingdom of God and attracted crowds anxious to fit themselves to enter into it—that did away with the ever-binding character of the Law. It was they who really went against it with regard, for instance, to the marriage bond, despite their misleading professions of a perfect attachment to the smallest regulations of the Law.[2]

[1] The perennial character of the Law is plainly assumed by Our Lord in the Parable of Dives and Lazarus which follows immediately, Lk. xvi, 14–18. (Cfr. Lk. xvi, 29, 31.)

[2] In thus recording Our Lord's words concerning divorce on the occasion of a particular rebuke of the Pharisees, and in presenting them as an instance of Christ's actual regard for the Law, St. Luke combined the circumstances which are assigned to their delivery in the other two Synoptics: in both Mk. x, 2–12 and Mt. xix, 1–9, Our Lord's words concerning divorce are recorded on the occasion of a particular attempt of the Pharisees to set Him at variance with the Law, which drew upon them the stern rebuke:

Such is the general purport of Lk. xvi, 14-18; such also is the line of thought whereby St. Luke connects the last verse of that section (Lk. xvi, 18) with its immediately preceding verses (Lk. xvi, 14-17). Now, this strongly confirms the obvious meaning of Our Lord's declaration as recorded in Lk. xvi, 18:

> Every one who puts away
> his wife
> and marries another
> commits adultery,
> and he who marries
> one put away from a husband
> commits adultery.

It shows plainly that in quoting these words of Jesus, St. Luke intended to set them forth as containing a doctrine of His concerning divorce, which was at total variance with the view of the Pharisees of His time, and which alone was compatible with the ever-binding force of the Law. They regarded a bill of divorce, once given to a

"For your hardness of heart, he (Moses) wrote you this commandment;" in Mt. v, they are set forth as one of the instances which illustrate the manner in which Jesus did not destroy, but fulfilled the Law (Cf. Mt. v, 17), and which, on that account, follow Christ's solemn declaration in Mt. v, 18, that "till heaven and earth pass away, one jot, or one tittle shall not pass away," with which one may compare the declaration to the same effect in Lk. xvi, 17.

wife by her husband, as rendering two things perfectly lawful: (1) the remarriage of the dismissing husband to another woman; (2) the marriage of a dismissed woman upon her showing a regular bill of divorce. He, on the contrary, denied the lawfulness of both the one and the other, as is obviously stated in Lk. xvi, 18. The Pharisees admitted a man's full right to divorce his wife; Jesus rejected it under the pain of adultery. In regarding the marriage as actually severed by a man's will to that effect, the opponents of Jesus really assumed that God's will decreeing in the first pages of the Law a perfect, and hence unbreakable, unity between husband and wife:

Gen. ii, 24.

> Wherefore a man shall leave his father and mother,
> and shall cleave to his wife,
> and they shall become one flesh;

had been made void by Moses' later regulation (Deuteronomy xxiv, 1-4) concerning the practice of divorce. In teaching that the marriage bond subsisted entire between the dismissing husband and the dismissed wife, Jesus held alone a position consistent with the everlasting force of the Law. Despite any and every subsequent

legislation framed in view of whatever circumstances before or since John, the original Divine decree had not *failed;* it remained in full vigor and for all times to come:

Lk. xvi.

16. The Law and the Prophets until John.
From that time, the kingdom of God is announced,
and every one forces his way into it.
17. But it is easier for heaven and earth to pass away,
than for one tittle of the Law to fail.

Whoever then, interprets impartially Lk. xvi, 18, in the light of the immediately preceding verses (Lk. xvi, 14-17), must take in their obvious sense the words of Our Lord quoted in Lk. xvi, 18: it is this obvious sense which allowed our third Evangelist to record them in a section wherein the Pharisees are charged with hypocritically setting aside the ever-binding force of the Law while they loudly professed to keep it intact. We therefore conclude that in writing Lk. xvi, 18, our third Synoptic cited the words of Jesus as ruling out every remarriage after divorce under the pain of adultery, and consequently as containing the same doctrine of Christ as is set forth in Mk. x, 2-12.

**III. Lk. xvi, 18, Compared with Parallel Passages.** To the foregoing confirmation of the obvious meaning of Lk. xvi, 18, we may add another, and if anything, a still stronger one. It amounts to this. A careful comparison of that verse of our third Evangelist with its direct parallels in the other two Synoptic Gospels shows that St. Luke framed it as a most distinct statement of the doctrine embodied in Mk. x, 2-12. The following is an outline of the evidence in favor of this position.

It is quite sure that the wording of Lk. xvi, 18:

> Every one putting away
> his wife
> and marrying another
> commits adultery,
> and he, one put away
> from a husband
> marrying
> commits adultery;[1]

bears a close literary relation to the two passages of our first Gospel[2] which record Our Lord's words concerning divorce:

[1] The Greek of Lk. xvi, 18, is rendered here most literally to preserve all its literary features, even the inversion.

[2] In rendering these two passages of St. Matthew we have also preserved the inversion of the Greek: "he, one put away shall marry (marrying), commits adultery."

| Mt. v, 32. | Mt. xix, 9. |
|---|---|
| Every one putting away his wife | Whoever shall put away his wife |
| except because of fornication | unless for fornication |
| | and shall marry another |
| makes her commit adultery, | commits adultery, |
| and whoever, one put away | and he, one put away |
| shall marry | marrying |
| commits adultery. | commits adultery. |

The opening lines of Lk. xvi, 18, are identical with those of Mt. v, 32:

| Mt. v. | Lk. xvi. |
|---|---|
| Every one putting away his wife. | Every one putting away his wife. |

Lk's third line: "and marrying another" (καὶ γαμῶν ἑτέραν) corresponds manifestly to the fourth line of Mt. xix, 9: "and shall marry another" (καὶ γαμήσῃ ἄλλην). Its two differences from Mt's line can be easily accounted for: (1) St. Luke has modified Mt's future tense "shall marry" (γαμήσῃ) into a present participle "marrying" (γαμῶν) consistently with his, and also Mt's use of the present participle "putting away" (ἀπολύων) in the opening line of the sentence; (2) Lk's preference for ἕτερος to ἄλλος

throughout his Gospel and the book of the Acts [1] has led him to write here ἑτέραν instead of Mt's ἄλλην; Lk's next expression: "commits adultery (μοιχεύει) is the direct equivalent also of Mt's next expression in xix, 9: "commits adultery" (μοιχᾶται), with this sole difference: that for Mt's passive form St. Luke has substituted the active as better Greek when speaking of a man. The second part of Lk. xvi, 18, is likewise closely related to the corresponding second part of Mt. xix, 9:

| Lk. xvi, 18. | Mt. xix, 9. |
|---|---|
| and he, one put away | and he, one put away |
| from a husband | |
| marrying (γαμῶν) | marrying (γαμήσας) |
| commits adultery (μοιχεύει) | commits adultery (μοιχᾶται.) |

The likeness of Lk's text to that of Mt. is plainly evidenced here by the whole construction and vocabulary. The differences between the two passages are certainly of Lk's own making: he adds the clause "from a husband" in accordance with his wont of supplying what is implied in the documents at his disposal (Cfr. I Cor. vii, 10); he uses the indicative "marrying" (γαμῶν)

[1] Cfr. W. F. Moulton and A. S. Geden, *a Concordance to the Greek New Testament* (New York, 1900); Sir John C. Hawkins, *Horae Synopticae*, p. 16 (Oxford, 1899).

instead of Mt's aorist (γαμήσας) in harmony with what he has done in the first part of the sentence, and for a similar reason, he employs the form μοιχεύει instead of Mt's μοιχᾶται in speaking of an adulterer.

Thus far our comparison of Lk. xvi, 18, with Mt. v, 32, and xix, 9, establishes the general fact that our third Evangelist has worded his text in full view of St. Matthew's Gospel. His close literary resemblances here point to his dependence on Mt's parallel texts, while his differences hitherto noticed are clearly intended variations from the same passages. Whoever bears this in mind will readily admit that the absence of Mt's restrictive clause: "except on account of fornication" from Lk's text is no mere oversight on the part of our third Evangelist. The clause is found in both Mt. v, 32, and Mt. xix, 9, and its importance is manifest in texts purporting to record Our Lord's words on the vexed question of divorce. Besides, it is a well-known fact that in Christ's time all the Jews regarded divorce as perfectly lawful in at least one case, viz., when a wife had proved unfaithful to her marriage vow. Again, since St. Luke agrees with St. Matthew in representing the words of Jesus as addressed to the Pharisees, our third Synoptist had appar-

ently the same reason, on that score, as our first Evangelist for recording the exceptive clause. Finally it behooved all the more St. Luke to preserve Mt's clause, because he was writing for Gentile readers who might not be aware of the one cause for which the Jews admitted that a man could lawfully dismiss his wife. We must therefore regard as certain that our third Synoptist omitted deliberately Mt's exceptive clause, supposing, as can hardly be doubted, that the clause existed in the texts of St. Matthew which St. Luke was utilizing.[1]

How, then, shall we account for this intentional omission of Mt's exceptive clause on the part of our third Evangelist? Briefly in the following manner. In framing his text out of Mt. v, 32, and xix, 9, St. Luke had distinctly in view Mk. x, 11, 12:

11. Whoever shall put away
his wife
and shall marry another
commits adultery against her,
12. and if she having put away
her husband
shall marry another
commits adultery.

[1] This point of textual criticism will be discussed in our subsequent examination of Mt. xix, 9.

These two verses of St. Mark represent Jesus as declaring guilty of adultery any party, husband or wife, that remarries after divorce. They absolutely exclude the idea that this remarriage is an adulterous union only in the case of the man who puts away his wife for any other cause but that of unfaithfulness. They plainly make the very fact of a second marriage after divorce the actual cause of adultery. And there is no doubt that St. Luke clearly saw that such was the import of Mk. x, 11-12. There is no doubt either that bearing this in mind and examining carefully Mt. v, 32, and xix, 9:

| Mt. v, 32. | Mt. xix, 9. |
|---|---|
| Every one putting away | Whoever shall put away |
| his wife | his wife |
| except because of fornication | unless for fornication |
| makes her commit an adultery, | and shall marry another commits adultery, |
| and whoever, one put away | and he, one put away |
| shall marry | marrying |
| commits adultery, | commits adultery, |

our third Evangelist considered the wording of these two passages of St. Matthew as genuinely

consistent with the presentment of the matter by our second Evangelist. To his mind, a contradiction on this point naturally appeared impossible on the part of these two writers who agreed in recording how in a discussion with the Pharisees Jesus had openly ascribed Moses' permission of divorce to " the hardness of heart " of the Jews (Mk. x, 5; Mt. xix, 8), how He had distinctly opposed to that Mosaic toleration the Divine decree which settled that husband and wife became " one flesh " by the use of marriage (Mk. x, 8; Mt. xix, 5, 6), and had solemnly declared: " What therefore God has joined together, let not man put asunder " (Mk. x, 9; Mt. xix, 6). To St. Luke's mind it naturally appeared impossible that since St. Matthew and St. Mark thus agreed in setting forth Christ's total opposition to divorce, they should, in the very same passage, disagree in recording Our Lord's words concerning the precise action whereby a man broke the unity willed from the first by the Creator, and made himself guilty of adultery. Convinced of this, and looking closely into Mt. v, 32, and Mt. xix, 9, he easily noticed the fact that in neither of these passages is a man charged with the actual commission of adultery, except when he is expressly connected with a

marriage after divorce. Thus, in the first part of Mt. v, 32:

> Every one putting away
> his wife
> except because of fornication
> makes her commit an adultery,

it is indeed stated that if a man puts away his wife for any other cause than that of fornication, he "makes her commit an adultery," that is, he is responsible for leading her to becoming an adulteress; but he is not charged with the actual commission of adultery: St. Matthew does not say that such a one "commits adultery." On the contrary, in the first part of Mt. xix, 9:

> Whoever shall put away
> his wife
> unless for fornication
> *and shall marry another*
> commits adultery,

a man in exactly the same conditions as are described in the first part of Mt. v, 32, in so far as the putting away of his wife is concerned, is branded as an adulterer, "commits adultery," because he is now contemplated as adding a further action to the one whereby he put away his wife, and that additional action is precisely a sec-

ond marriage: "and shall marry another." That it is the remarriage of a divorced party that stamps a union with the guilt of adultery is made plainer still, if anything, by the wording of the second part of both Mt. v, 32, and Mt. xix, 9:

| Mt. v. | Mt. xix. |
|---|---|
| and whoever, one put away | and he, one put away |
| shall marry, | marrying, |
| commits adultery. | commits adultery. |

For, in this second part of both Mt. xix, 9, a man is condemned as an adulterer solely in the event of his contracting marriage (note the tense forms in the Greek: γαμήσῃ "shall marry," γαμήσας "marrying") with a divorced woman.

Thus then, St. Luke distinctly perceived that St. Matthew was really at one with St. Mark in representing Christ as condemning every remarriage after divorce as an adultery. He clearly saw that Mt's restrictive clause, "except for fornication," did not make the actual commission of adultery depend on another cause besides remarriage. He therefore felt free to preserve that clause since it was found in our first Gospel, or to omit it since it was absent from the parallel passage in our second Synoptic. On

the one hand, to insert it into his own redaction of Lk. xvi, 18, would cause him to utilize to its full extent Mt's text in v, 32, and xix, 9. On the other hand, to leave it out would enable him to transform Mt's record of Christ's words into a more distinct statement of an absolute condemnation of all remarriage after divorce.[1] It is the latter course which he followed, thereby supplying us with a strong proof of the fact that in framing Lk. xvi, 18, our third Evangelist deliberately conveyed the same strict doctrine of Jesus as is embodied in Mk. x, 2-12: every remarriage after divorce is forbidden under the pain of adultery.[2]

**VI. Conclusion.** In whatever way, then, the unbiased interpreter examines Lk. xvi, 18, whether in the obvious meaning of its words, or in its context, or again in its form as compared with that of the parallel texts in the other two Synoptic Gospels, he is led to the general position set forth

[1] In reference to the form adopted here by St. Luke (Lk. xvi, 18), Prof. H. J. Holtzmann (*die Synoptiker,* 3d edit., Leipsig, 1901; p. 389) pertinently remarks: "Ohne Zweifel gibt diesmal Lc. den Gedanken in seiner durchsischtigsten Form: *Ehe bricht, wer sein Weib entlaesst und eine andere heirathet, und wer eine Entlassene heirathet.*"

[2] On the various points discussed in this chapter, see particularly Knabenbauer, S.J., *in Evangelium secundum Lucam,* p. 467 sqq. (Paris, 1896).

at the beginning of this chapter. He cannot help admitting that St. Luke agrees with St. Mark in representing as the explicit teaching of Christ regarding divorce the doctrine of the Roman Catholic Church down to the present day. Well, therefore, may the Catholic apologist point back to both our second and our third Gospels, as to early documents of Christianity which prove that, despite all assertions to the contrary, the Church of God is simply re-echoing the voice of her Divine Founder concerning the absolute indissolubility of holy matrimony, when she proclaims that whoever avails himself or herself of a legal form of divorce and contracts a new marriage is guilty of the sin of adultery.

## PARALLEL PASSAGES TO Lk. xvi, 18.

### 1. THE ORIGINAL GREEK

| Mk. x, 11, 12. | Mt. v, 32. | Mt. xix, 9. | Lk. xvi, 18. |
|---|---|---|---|
| 11 Ὃς ἂν ἀπολύσῃ | πᾶς ὁ ἀπολύων | Ὃς ἂν ἀπολύσῃ | Πᾶς ὁ ἀπολύων |
| τὴν γυναῖκα αὐτοῦ | τὴν γυνοῖκα αὐτοῦ | τὴν γυναῖκα αὐτοῦ | τὴν γυναῖκα αὐτοῦ |
| | παρεκτὸς λόγου πορνείας | μὴ ἐπὶ πορνείᾳ | |
| καὶ γαμήσῃ ἄλλην | | καὶ γαμήσῃ ἄλλην | καὶ γαμῶν ἑτέραν |
| μοιχᾶται ἐπ' αὐτὴν, | ποιεῖ αὐτὴν μοιχευθῆναι | μοιχᾶται, | μοιχεύει, |
| 12 καὶ ἐὰν αὐτὴ ἀπολύσασα | καὶ ὃς ἐὰν ἀπολελυμένην | καὶ ὁ ἀπολελυμένην | καὶ ὁ ἀπολελυμένην |
| τὸν ἄνδρα αὐτῆς | | | ἀπὸ ἀνδρὸς |
| γαμήσῃ ἄλλον | γαμήσῃ | γαμήσας | γαμῶν |
| μοιχᾶται. | μοιχᾶται | μοιχᾶται. | μοιχεύει. |

### 2. LITERAL RENDERING

| Mk. x, 11, 12. | Mt. v, 32. | Mt. xix, 9. | Lk. xvi, 18. |
|---|---|---|---|
| 11. Whoever shall put away his wife | Every one putting away his wife | Whoever shall put away his wife | Every one putting away his wife |
| | except because of fornication | unless for fornication | |
| and shall marry another | | and shall marry another | and marrying another |
| commits adultery against her, | makes her commit adultery, | commits adultery, | commits adultery, |
| 12. and if she having put away her husband | and whoever, one put away | and he, one put away | and he, one put away from a husband |
| shall marry another, | shall marry, | marrying (*aorist*), | marrying (*indic.*), |
| commits adultery. | commits adultery. | commits adultery. | commits adultery. |

## CHAPTER IV

### CHRIST'S TEACHING CONCERNING DIVORCE IN I COR. VII, 10, 11

THE impartial study of Christ's words concerning divorce as recorded in our second Gospel clearly shows that in public (Mk. x, 2-9), Jesus set Himself up against the lawfulness of divorce, and that in private (Mk. x, 10-12) He expressly taught His disciples to look upon remarriage after divorce as entailing the guilt of adultery. The same unbiased examination of the single verse in our third Gospel (Lk. xvi, 18), which refers to divorce, proves no less conclusively that St. Luke bears witness to the same teaching of Christ concerning divorce as is set forth in Mk. x, 2-12. This is the plain meaning of Lk. xvi, 18, and the closer its wording is studied in the light of its context and of its origin, the clearer it appears that, according to our third, as according to our second, Evangelist, Jesus condemned every remarriage after divorce as an adultery. In fact, the concordant testimony of these two Synoptic Gospels is so distinct that the

Catholic apologist hardly feels the need of appealing to any other text of the Apostolic Age to confirm it and to substantiate his position that, in forbidding remarriage after divorce, the Church of God simply enforces Christ's injunction to that effect. In a matter of this importance, however, it manifestly behooves him to bring forth every available evidence in favor of his contention; and there is no doubt that in I Cor. vii, 10, 11, he is supplied with one of the greatest value. The right of this Epistle to be considered as the genuine work of St. Paul, the friend and master of "Luke, the beloved physician" (Col. iv, 14), is practically undisputed in the present day. The early date—between 53 and 56 A.D.—to which it is commonly ascribed, makes its composition probably anterior to that of our second evangelical narrative, the Gospel of St. Mark.[1] When, therefore, in I Cor. vii, 10, 11, St. Paul, answering the inquiry of an early Christian community[2] which he had founded,

[1] Cfr. Jacquier, *Histoire des Livres du Nouveau Testament,* vol. ii, p. 434 (Paris, 1905); Knabenbauer, *in Evangelium secundum Marcum,* p. 11 (Paris, 1894); Brassac, *Manuel Biblique,* vol. iii, p. 81 sq. (Paris, 1908).

[2] One of the objects of our First Epistle to the Corinthians was to answer the questions which the faithful of Corinth had asked of St. Paul in a letter of theirs which is no longer extant. (Cfr. I Cor. vii, 1; viii, 1; xii, 1; xvi, 1, 12).

rehearses the Lord's absolute command against divorce, his words are readily seen to contain a strong confirmation of the actual meaning of both Lk. xvi, 18, and Mk. x, 2-12. And it is the purpose of the present chapter to set forth the exact meaning of this important passage of the First Epistle to the Corinthians.

The following parallel columns present side by side the original Greek of I Cor. vii, 10, 11, and its literal English rendering:

| | |
|---|---|
| 10. Τοῖς δὲ γεγαμηκόσιν παραγγέλλω, | 10. But to the married I command, |
| οὐκ ἐγὼ, ἀλλὰ ὁ Κύριος, | not I, but the Lord, |
| γυναῖκα ἀπὸ ἀνδρὸς μὴ χωρισθῆναι, | that a wife depart not from a husband, |
| 11. ἐὰν δὲ καὶ χωρισθῇ, | 11. —but and if she depart, |
| μενέτω ἄγαμος | let her remain unmarried |
| ἢ τῷ ἀνδρὶ καταλλαγήτω, | or let her be reconciled to the husband.— |
| καὶ ἄνδρα γυναῖκα μὴ ἀφιέναι. | and that a husband dismiss not a wife. |

**I. Three Elements in I Cor. vii, 10, 11** Whoever reads attentively this short passage will easily notice that it is made up of three several elements which all demand a careful examination from the

unbiased interpreter. The first is a brief introduction consisting of the two opening lines:

I Cor. vii, 10ab.

But to the married I command,
not I, but the Lord;

wherein we are told of St. Paul's intention in quoting the Lord's command. The second is made up of two lines also, viz., the last line of the first verse, and the last one of the second verse, in the passage:

I Cor. vii.

10c that a wife depart not from a husband,
11d and that a husband dismiss not a wife.

It gives the command of Christ concerning divorce. The third is a parenthesis inserted between the two lines which set forth the Lord's command:

I Cor. vii, 11.

—but and if she depart,
let her remain unmarried
or let her be reconciled to the husband.—

In it the Apostle declares the duty of a woman who has separated herself from her husband.

**II. The First Element Examined.** The two lines wherewith St. Paul prefaces the Lord's command claim first our attention. They refer to a well-defined class of members in the Corinthian community, τοῖς δὲ γεγαμηκόσιν "but to the married," to a group perfectly distinct from those spoken of in the immediately preceding verses (verses 8, 9), where there is question of those actually free from the marriage bond, "the unmarried and the widows." The persons spoken of here as "married," have been living in the married state, as shown by the use of the Greek perfect γεγαμηκόσιν, and are both, the husband and the wife, Christians, since St. Paul considers them as subjected to his authority: παραγγέλλω, "I command," and since he intends to treat of mixed marriages, that is, of marriages wherein either the husband or the wife is alone a Christian, only in the following section (verses 12-16). As Christian partners, "the married" are bound by a law which the Apostle thinks it his duty to proclaim, but of which he expressly says he is not the author: "But to the married I command, not I, but the Lord." The law which binds them together in holy matrimony he distinctly traces back to Christ, and represents as in full vigor for those who recognize Him as "the Lord." As is

well said by a leading Protestant commentator: "Paul knew from the living voice of tradition what commands Christ had given concerning divorce . . . ; [and] the authority of Christ lives on in His commands." [1] From these opening lines then, St. Paul's frame of mind in writing I Cor. vii, 10, 11, can readily be seen; he wishes to enforce upon the married Christians of Corinth the peculiar command of Christ which referred to their state in life, and the tenor of which he knew through tradition.

**III. The Second Element sets forth Christ's Teaching.** After this introduction the Apostle proceeds to quote the Lord's command. He sets it forth by means of two lines, the first of which regards the wife, and the second concerns the husband:

I Cor. vii.

10c that a wife depart not from a husband,
11d and that a husband dismiss not a wife.

These two lines are indeed separated from each other by a parenthetical remark of St. Paul as

[1] H. A. W. Meyer, *Critical and Exegetical Handbook to the Epistles to the Corinthians*, Eng. Transl., p. 156 (Funk & Wagnalls, New York, 1884).—It is interesting to notice how Protestant scholars, when not biased, recognize the authoritative value of oral Christian tradition.

stated above; yet, they actually belong together.[1] They are the two clauses (note the conjunction *καὶ* "and" which unites them) of the one sentence which states the Lord's doctrine regarding the matter in hand, and on that account, they should be interpreted in immediate connection with each other. Again, especially in the original Greek, they run so closely parallel in construction:

I Cor. vii.

*γυναῖκα ἀπὸ ἀνδρὸς μὴ χωρισθῆναι*
*καὶ ἄνδρα γυναῖκα μὴ ἀφιέναι;*

that their parallelism was manifestly intended by St. Paul, and should therefore be made use of by the modern exegete to determine their precise meaning. And there is no doubt that whoever studies them impartially together and in the light of each other, is led to admit that, taken in their obvious sense, they ascribe to Christ an absolute rejection of divorce. They both evidently refer to the bond which unites a man and a woman in the married state, since they speak of "a husband" and "a wife." They both contemplate the possibility of an actual separation of the parties concerned that would go against

[1] Cfr. Cornely, S.J., *in S. Pauli priorem Epistolam ad Corinthios*, p. 177 (Paris, 1890).

that sacred bond. As regards the exact nature of that separation, they both describe it in words which "are taken from the [New Testament] phraseology of divorce," [1] so that the natural meaning of the terms expressing it cannot be doubted for a moment. One of these terms—the one applied here to a wife's separation from her husband, is *χωρίζειν*, the precise verb used by Our Lord in Mk. x, 9, and Mt. xix, 6, to forbid the breaking of the marriage tie: "What therefore God has joined together, let not man put asunder" (*μὴ χωρίζειν*). The second term—the one applied here to a husband's separation from his wife—is *ἀφιέναι*, which even in classical Greek means in such connection: "to put away, divorce" one's wife.[2] Whence it clearly appears that the actual separation spoken of in I Cor. vii, 10c, 11d, is one that would be considered by either husband or wife as terminating a marriage union, in other words as a divorce.[3] Lastly, it can be

[1] A. P. Stanley, *the Epistles of St. Paul to the Corinthians,* p. 103 (5th edit., London, 1882). See also article *Marriage,* in Hastings' *Dictionary of the Bible,* vol. iii, p. 274.

[2] Cfr. Herodotus, *History,* Book V, chap. 39.

[3] Meyer, *loc. cit.,* p. 157, and Protestant scholars generally, rightly take *μὴ χωρισθῆναι* as a middle aorist meaning "let not her [the wife] separate herself." This meaning is required by the Parallelism of that expression with *μὴ ἀφιένα* which plainly denotes in I Cor. vii, 11d, the husband's personal action in promoting divorce.—Cfr. Toussaint, *Epîtres de St. Paul,* vol. i, p. 312 (Paris, 1910).

easily realized that this prohibition of divorce ascribed by St. Paul to " the Lord " is set forth in both lines in an absolute manner. In form, both lines are just as unconditional as Christ's statement in Mk. x, 9, and Mt. xix, 6: " What God has joined together, let not man put asunder "; so that whoever interprets them without dogmatic preoccupation will naturally take them to mean that Our Lord forbids the divorce of the parties concerned, simply because of the tie of matrimony which binds them as " husband " and " wife ": as they are living in the married state it is unlawful for them to sever the marriage tie.

**IV. The Third Element Examined.**

Such is the straightforward interpretation of the two lines in which St. Paul rehearses Christ's command concerning " the married." According to the Apostle, " the Lord " strictly enjoins that the marriage bond existing between " a husband " and " a wife " be considered by them as indissoluble. That this is his real view of the matter is further forced on us by an unbiased examination of the parenthetical remark which he has inserted between the two lines setting forth Our Lord's command, and which forms the third and

last element of the passage under consideration. The following is a literal English rendering of this parenthetical remark:

I Cor. vii.

> but and if she depart,
> let her remain unmarried
> or let her be reconciled to the husband.

The first of these lines states clearly the case contemplated by St. Paul. As he has just given Christ's command concerning a woman who was bound by the marriage tie and who had not yet separated herself from her husband: "that a wife depart not from a husband" (verse 10c), he now supposes (ἐὰν "if") that she has gone so far (καὶ "and," "even") as to contravene (δὲ "but") that command, by separating herself from her husband (the same Greek verb χωρίζειν and in the same middle aorist form, is used here as in verse 10c). He has plainly in mind a wife's separation forbidden by "the Lord," that is, one which from the use of the verb χωρίζειν would, as we have seen, break the marriage tie if this tie could be broken. Having thus given the exact state of the case, the Apostle sets forth in the next two lines the precise relation in which a wife thus separated must consider herself with regard

to the bond of matrimony. He authoritatively declares that the wife's practical resolve of terminating her union with her husband does not give her any right to marry another man: "let her remain unmarried." And the reason for which all remarriage is forbidden her is not left to our surmising. St. Paul gives it distinctly to understand in the last line of his parenthesis. In saying, "or let her be reconciled to the husband," the Apostle shows clearly that according to him a wife, thus separated from her husband, is still bound to him by the marriage tie; he is still "the husband," the only one with whom she may, after having made up with him, lead a married life. It is divorce, then, that in this parenthesis, St. Paul supposes a wife to have intended in separating from her husband, and that he considers as a contravention of the Lord's command concerning "the married." It is this divorce which he treats as leaving intact the binding force of the marriage tie. After, as before it, the divorced wife must not marry another man. After, as before it, she is the husband's wife. Clearly, according to St. Paul's mind, Christ has proclaimed the marriage bond indissoluble.

As can be readily noticed, the foregoing interpretation of the three component elements of

I Cor. vii, 10, 11, is thoroughly objective. It takes the words of St. Paul in their natural sense, and reads nothing else into them. It supplies a meaning perfectly intelligible to the faithful of Corinth, who, as well as their great Apostle, must have already known of Christ's absolute rejection of divorce, through "the living voice of tradition." [1] It should therefore lead every unbiased mind to admit that in this Pauline Epistle, in this very early document of Christianity, there is ascribed to "the Lord" a doctrine which unconditionally forbids divorce on the part of either of two Christians who have lived together in the married state. In point of fact, very recent Protestant scholars, who have impartially examined this passage, have felt the force of its meaning and distinctly acknowledged it. Thus Dr. Willibald Beyschlag, of Halle, writes: [2] "The Apostle opposes the desire of divorce, which existed in the Corinthian Church . . . with the Lord's unqualified prohibition of

[1] As is well said by a learned Protestant commentator, Principal Thomas C. Edwards (*A Commentary on the First Epistle to the Corinthians,* 2d edit., p. 169, New York, 1886): "Indeed, Our Lord's doctrine on the subject [of divorce] was in that age singular, and cannot fail to have been known among Christians throughout the world."

[2] *New Testament Theology,* vol. ii, p. 220. Eng. Transl., Edinburgh, 1899. (2d Engl. edit.)

divorce, granting, indeed, the possibility of a separation, but without freedom to marry again (I Cor. vii, 10, 11)." In a like strain, Prof. George T. Purves says:[1] "It is important to note that he (St. Paul) forbids, on the ground of Christ's command, any seeking after divorce." The late Prof. George B. Stevens, of Yale, remarks:[2] "Paul knows that Jesus discountenanced divorce (I Cor. vii, 10, 11). He repeats the same principle, and adds the inference that if separation does, nevertheless, take place, remarriage is not thereby permitted." Dr. Von Soden, of Berlin, informs us[3] of "Paul's decided rejection of every idea of divorce," and Otto Pfleiderer, of the same German university, states:[4] "Divorce was, according to the teaching of Jesus, not permissible." Lastly, and most distinctly, Prof. Shailer Matthews of Chicago University writes:[5] "Brought face to face with an actual separation of husband and

[1] *Christianity in the Apostolic Age,* p. 217 (New York, Chas. Scribner's Sons, 1902).

[2] *The Theology of the New Testament,* p. 449 (New York, Scribner's, 1902).

[3] *The History of Early Christian Literature,* p. 42. Engl. Transl. (N. Y., Putnam, 1906).

[4] *Primitive Christianity,* vol. i, p. 162. Engl. Transl. (N. Y., Putnam, 1906).

[5] *The Messianic Hope in the New Testament* (Chicago, the University Press, 1905).

wife, Paul speaks in the name of Jesus: 'the wife shall not depart from her husband, but and if she depart, let her remain unmarried or else be reconciled to her husband; and let the husband leave not his wife,' (I Cor. vii, 10, 11). Here is the one clear instance in which the apostle quotes Jesus as an authority in ethical matters, and it is worth attention that it is at the one point at which the social content of Christianity cannot change except for the worse. If there is anything in all the specific social teaching of St. Paul that may be said to have transcended the historical situation in which it was uttered, it was this concerning the family: the union of a man and woman in marriage is a primal fact of humanity; it is not a matter of contract, it is an actual status. Separation may be permitted, but not remarriage to other persons. Divorce is neither instituted nor permitted by New Testament ethics."

**V. The Preceding Context Examined.** A strong confirmation of the sense yielded by the direct study of I Cor. vii, 10, 11, is found in the contrast which exists between that passage and the immediately preceding lines:

I Cor. vii.

8. But I say to the unmarried and the widows:
   It is good if they remain as even I.
9. But if they do not contain themselves, let them marry,
   for it is better to marry than to be burnt.

In these two verses, as in those which we have thus far examined, St. Paul has indeed in view Christians to whom he proceeds to give ethical directions. But he speaks only of Christians actually free from the bond of marriage: "the unmarried and the widows," intending to treat afterwards (in verses 10, 11) of "the married" or Christians already living in the married state. According to him ("I say"), those who are thus free from the marriage tie do well to remain unmarried, as he is himself: "It is good if they remain as even I." Realizing, however, that this rule of conduct may not be appropriate to all those whom he has in view, he adds at once that such a course is right only in so far as their present state does not betray them into incontinency, for if it does, it is incumbent on them to contract marriage and thereby put an end to what is for them a source of sins of the flesh:

I Cor. vii, 9.

But if they do not contain themselves, let them
marry,
for it is better to marry than to be burnt.

In striking contrast with these decisions of St. Paul concerning "the unmarried and the widows" in verses 8, 9, stand those which he gives in regard to "the married," in the next verses, 10, 11. Differently from the former, these Christians are living in the married state, and fall on that account under Christ's own command against divorce:

I Cor. vii.

10. But to the married I command,
not I, but the Lord,
that a wife depart not from a husband,
11d and that a husband dismiss not a wife.

Thus, whereas those truly free from the marriage tie are allowed to remain unmarried, those actually bound by that tie, the husband and the wife equally, are forbidden to dissolve their matrimonial union. And whereas "the unmarried and the widows" should on account of sins against their present state alter it and contract marriage, St. Paul admits nothing of the kind with regard to "the married." There occurs indeed to his mind the case of "a wife" severing,

as far as in her lies, the bond which unites her to a husband. But he does not think for a moment of placing her, in her actual separation, among " the unmarried and the widows." While they *may* remain unmarried, she *must* remain so. While he obliges them to enter the married state should their single condition betray them into incontinency, he has no such thing to tell the separated wife: the only alternative he gives her is to go back to the one with whom she is still married:

I Cor. vii, 11.

but and if she depart,
let her remain unmarried,
or let her be reconciled to the husband.

Whoever then interprets I Cor. vii, 10, 11, in the light of its contrast with the immediately preceding verses (8, 9), must admit that in quoting the Lord's command regarding " the married " Christians, and in applying it to the particular case of a wife's separation from a husband, St. Paul considers the bond of matrimony as indissoluble because Christ has willed, and still wills, it so.

**VI. The Following Context Examined.** That such is the Apostle's actual frame of mind is powerfully confirmed by a brief comparison of I Cor.

vii, 10, 11, with the immediately following verses. In Cor. vii, 12-16, he treats of persons who are indeed living in the married state, but of whom he expressly says that the Lord's command regarding "the married," which he has enforced in I Cor. vii, 10, 11, does not apply, because one of the parties in the union is not a Christian:

I Cor. vii.

12. But to the rest say I, not the Lord:
    If any brother has a wife who does not believe
    and she consents to dwell with him,
    let him not dismiss her.
13. And if any wife has a husband who does not believe
    and he consents to dwell with her,
    let her not dismiss the husband. . . .
15. But if the one who does not believe departs,
    let him depart.
    The brother or the sister is not enslaved in such [cases],
    but God has called us in peace.
16. For how knowest thou, O wife,
    whether thou shalt save the husband?
    or how knowest thou, O husband,
    whether thou shalt save the wife?

It is clear that in these verses we are far from the strict rules given in I Cor. vii, 10, 11, that is, in verses where St. Paul quotes and applies the

command of " the Lord " against divorce. Here, differently from I Cor. vii, 10, 11, the injunction to the effect that a husband and a wife must not sever the marriage tie, is made subordinate to the willingness of one of them—the non-Christian—to dwell with the other:

I Cor. vii.

12. *If* any brother has a wife who does not believe
*and* she *consents* to dwell with him,
let him not dismiss her.
13. And *if* any wife has a husband who does not believe,
*and* he *consents* to dwell with her,
let her not dismiss the husband.

Here, also differently from I Cor. vii, 10, 11, the actual separation (designated by the verb χωρίζειν in verse 15 exactly as in verse 10) is certainly represented as setting free the deserted partner:[1]

I Cor. vii, 15.

But if the one who does not believe departs,
let him depart;
The brother or the sister is not enslaved in such [cases].

The reason of these differences between the marriage of a Christian with a Christian in I Cor.

[1] The exact import of I Cor. vii, 12–16, will be discussed fully in our next chapter on the " Pauline Privilege."

vii, 10, 11, and that of a Christian with a non-Christian in I Cor. vii, 12-16, is given by St. Paul himself. The former union is subjected to the command of the Lord: "But to the married, I command, not I, but the Lord"; the latter is not: "But to the rest say I, not the Lord." Because of the presence of the Lord's command, the former union is indissoluble; because of its absence, the latter is dissoluble.

**VII. Other Passages of St. Paul**

The foregoing interpretation of the words of I Cor. vii, 10, 11, taken in themselves and in the light of their immediately preceding and following context, may also be confirmed by means of other passages which disclose the Apostle's mind concerning Christian marriage. One of these is found in verse 39 of this very Chapter vii of the First Epistle to the Corinthians:

I Cor. vii, 39.

> A wife is bound for so long a time as a husband lives;
> but if her husband dies (literally: falls asleep),
> she is free to be married to whom she wills:—only in the Lord.

A passage more explicit still is supplied by the Epistle to the Romans, that is, by one of the

letters of St. Paul which goes back to the same date as the First Epistle to the Corinthians. In Rom. vii, 2, 3, we read:

> 2. A married woman is bound by law to the living husband;
> but if the husband dies she is released from the law of the husband.
> 3. So then, while the husband is living, she shall be called an adulteress
> if she belongs to another man.
> But if the husband dies she is free from law
> so as not to be an adulteress
> when she belongs to another man.

The bearing of these passages on the question of divorce is obvious. In both these texts, as in I Cor. vii, 10, 11, St. Paul considers the tie of Christian marriage which binds a wife to her husband as absolutely indissoluble: she is bound by it as long as the husband lives, and she is free from it, so as to be allowed to remarry, only in the event of the husband's death. According to Rom. vii, 3, in particular, her remarriage before the husband's death makes her guilty of adultery, whereas after the husband's death her remarriage is in no way tainted with that sin. The Apostle's mind is therefore clear: Christian marriage is indissoluble, and the wife's remarriage during the

lifetime of her husband is an adultery. This is, as we have shown in our foregoing chapters, the exact meaning of Mk. x, 2-12, and Lk. xvi, 18, and in the light of it, our interpretation of I Cor. vii, 10, 11, is manifestly correct.

The third and last passage to be quoted in this connection is found in an Epistle, the genuineness of which, though sharply questioned, is not disproved, to wit, the Epistle to the Ephesians, composed about 60 A.D. In Eph. v, 22-33, St. Paul writes as follows:

22. [Let] the wives [be subject] to their own husbands, as to the Lord;
23. for the husband is the head of the wife, as Christ also is the head of the Church, [being] Himself the savior of the body.
24. But just as the Church is subject to Christ, so also should the wives [be] to their husbands in everything.
25. Husbands, love your wives just as Christ loved the Church and delivered Himself up for it,
26. that He might sanctify it after cleansing it by the laver of water with [the] word,
27. that He might present to Himself the Church, glorious, not having spot or wrinkle or any such thing; but that it should be holy and without blemish.
28. Thus also ought husbands to love their own wives as their own bodies. He who loves his own wife, loves himself;

29. for no one ever hated his own flesh, but feeds and cherishes it, just as Christ [does] the Church,
30. because we are members of His body.
31. On account of this a man shall leave father and mother, and shall cleave to his wife; and the two shall become one flesh.
32. This mystery is great, but I speak in reference to Christ and to the Church.
33. Nevertheless let every one of you love his own wife even as himself, and let the wife fear her husband.

Whoever reads attentively this passage will easily see that in it the Apostle considers as indissoluble the union which Christian marriage establishes between husband and wife. According to him, man and woman become through marriage "one flesh," that is, one principle of natural life. They are a unit of which the husband is the head, and the wife the body. As the wife plays the part of the body she must of course be subject to the husband (the head) "in everything." Again, as the husband plays the part of the head, he is naturally bound to a perfect love, to a love which excludes every hatred that might lead to a repudiation, towards his body [the wife]. In this way, the union between husband and wife which is of its very nature indissoluble, since it is that of a head with its body, is sure to be preserved by the absolute obedience

of the wife [the body] on the one hand, and by the perfect love of the husband [the head] on the other. It thus appears that in Eph. v, 22-33, St. Paul sets forth as the mutual duties of husband and wife precisely those which he sees to flow directly from the indissoluble union established between them by the marriage tie, and the fulfilment of which he distinctly realizes to be necessary for its actual preservation. Hence, it cannot reasonably be doubted that in this passage the Apostle considers as indissoluble the union which exists between Christians living in the married state. If, however, a further proof of this position was required, it could be easily found in the fact that Eph. v, 22-33, places marriage in the most exalted light by representing it as a copy of the relation of Christ to His Church. As is well said by an eminent Protestant writer:[1] "In this analogy is implied the indissoluble nature of the marriage bond; for the union between Christ and His bride, the Church, can never be broken. The husband and the wife are one flesh; and what God has joined together, man must not put asunder (comp. Mt. xix, 3-9; I Cor. vii, 10)."

[1] Philip Schaff, *History of the Apostolic Church*, p. 444 (New York, Charles Scribner, 1859).

**VIII. Conclusion.** The foregoing pages show that only one conclusion is possible with regard to the doctrine which St. Paul ascribes to Christ in I Cor. vii, 10, 11. The exegete who examines the very words of this passage without dogmatic bias, and takes them in their obvious and full sense, is naturally led to admit that the Lord's command as given by the Apostle to "the married" Christians, rules out every divorce, and that its application to the case of a Christian wife permanently separated from a Christian husband treats the marriage bond as indissoluble. This same meaning of I Cor. vii, 10, 11, is forced upon him when he compares its contents with those of the immediately preceding and following context, as also with those of other Pauline passages bearing on the nature of the marriage between Christian partners. It is therefore plain that the teaching of Christ against divorce as transmitted to St. Paul by "the living voice of tradition," and as recorded by him in one of the earliest documents of Christianity, is the very same as the one proclaimed by the Roman Catholic Church. Nay more, it is plain that that Church in absolutely forbidding divorce, not simply in virtue of her own authority but also in virtue of Christ's injunction to that effect, is act-

ing in precisely the same manner as did the great Apostle of the Gentiles when he wrote nineteen hundred years ago:

I Cor. vii, 10, 11.

> But to the married I command,
> not I, but the Lord,
> that a wife depart not from a husband, . . .
> and that a husband dismiss not a wife.

## CHAPTER V

### THE "PAULINE PRIVILEGE" IN I COR. VII, 12–16

As we saw in our last chapter, I Cor. vii, 10, 11, states and enforces as the command of "the Lord," the same absolute injunction against divorce as is ascribed to Christ in Mk. x, 2-12, and Lk. xvi, 18. Its plain and direct meaning is to the effect that neither husband nor wife is allowed to break the bond of holy matrimony, and therefore rules out any and every cause that would justify remarriage after divorce. In it St. Paul, placing husband and wife exactly on the same footing with regard to the marriage tie, supposes that a wife has actually separated herself in a permanent manner from her husband, and declares that she may not lead a married life unless she goes back to the one who is still "the husband." Whence it is clear that, according to the Apostle's mind, the marriage bond remains intact despite a permanent separation; and several Protestant scholars, truly unbiased by dog-

matic preoccupation, have of late expressly recognized that in this passage St. Paul proclaims, in virtue of the Lord's command, the indissolubility of the marriage tie between two Christians. This interpretation of I Cor. vii, 10, 11, appears all the more unquestionable, because it is the only one which tallies with the context, and with other passages in St. Paul's Epistles. It is the only one in harmony with those passages wherein the Apostle distinctly states that the marriage tie binds a wife until her husband's death, condemns her remarriage before that event as an adultery (Cfr. I Cor. vii, 39; Rom. vii, 2, 3), and describes the marriage relation between a Christian husband and a Christian wife as making them " one flesh," as obliging them to strict and permanent duties for its preservation, and as binding them to a union which is a copy of the very union which exists between Christ and His Church (Eph. v, 22-33). It is also the only one in harmony with the context of I Cor. vii, 10, 11, for this context proves that in wording I Cor. vii, 10, 11, St. Paul represented as indissoluble the union of " the married " whom he had in view, simply because he applied to them the command of " the Lord." In examining this context in our preceding paper, we

indeed assumed, rather than proved, the dissolubility of a marriage which, according to the Apostle's mind, did not fall under the law of Christ; but we then promised soon to discuss this point in detail, and it is to redeem our promise that we shall make, in the present chapter, a close study of the " Pauline Privilege " set forth in I Cor. vii, 12-16.

The following is a direct rendering of this important passage, from the original Greek:

I Cor. vii.

12. But to the rest say I, not the Lord:
If any brother has a non-believing wife
and she consents to dwell with him,
let him not dismiss her.
13. And if any wife has a non-believing husband
and he consents to dwell with her,
let her not dismiss him.
14. For the non-believing husband is hallowed in the wife,
and the non-believing wife is hallowed in the brother:
else were your children unclean; but now they are holy.
15. But if the non-believing [consort] departs,
let him depart.
The brother or the sister is not enslaved in such [cases],
but God has called us in peace.

16. For how knowest thou, O wife,
whether thou shalt save the husband?
or how knowest thou, O husband,
whether thou shalt save the wife?

**I. Component Elements Pointed Out.** In this passage, as in I Cor. vii, 10, 11, we can readily notice three several elements, the precise meaning of which it behooves us to determine accurately. The first consists in the short introductory phrase: "But to the rest say I, not the Lord," which sets forth St. Paul's exact purpose in writing the passage: the Apostle wishes to give to a class of the Corinthian faithful directions of his own concerning their married state. The second element extends to the end of verse 14:

I Cor. vii.

12b If any brother has a non-believing wife
and she consents to dwell with him,
let him not dismiss her.
13. And if any wife has a non-believing husband
and he consents to dwell with her,
let her not dismiss him.
14. For the non-believing husband is hallowed in the wife,
and the non-believing wife is hallowed in the brother:
else were your children unclean; but now they are holy.

It deals with the case of mixed marriages wherein the non-Christian partner is willing to remain in marriage relation with the Christian consort. It gives and justifies the Apostle's decision that, in such a case, the Christian should continue the marriage intercourse. In the third and last element of the passage—the last two verses—St. Paul treats of a precisely opposite kind of mixed marriages, viz., that in which the non-Christian partner chooses to break off the marriage relation with the Christian party. As in the foregoing element, the Apostle gives and justifies the line of conduct which the Christian partner should follow:

I Cor. vii.

15. But if the non-believing [consort] departs,
let him depart.
The brother or the sister is not enslaved in such
[cases],
but God has called us in peace.
16. For how knowest thou, O wife,
whether thou shalt save the husband?
or how knowest thou, O husband,
whether thou shalt save the wife?

**II. The First Element Examined.** Of these three elements, the first: "But to the rest say I, not the Lord," is of a special importance because

of its manifest bearing on the whole passage. It points out, in the first place, the particular class of the Corinthian Christians to whom St. Paul intends to give the directions that follow: "But to the rest;" and next, the exact authority to which he refers these directions: "Say I, not the Lord." The expression, τοῖς δὲ λοιποῖς, "but to the rest," which he places at the beginning of the sentence, recalls forcibly by its position and its construction the words which he has used at the beginning of the two preceding sections, in the first of which (verses 8, 9), he speaks of the non-married Corinthian Christians by means of the expression τοῖς ἀγάμοις καὶ ταῖς χήραις, "to the unmarried and to the widows;" and in the second of which (verses 9, 10), he addresses the married Corinthians, both of whom were Christians, by means of the formula, τοῖς δὲ γεγαμηκόσιν, "but to the married":

I Cor. vii.

8a But I say *to the unmarried* and *to the widows* . . .
10a But *to the married* I command, not I, but the Lord . . .
12a But *to the rest* say I, not the Lord. . . .

The striking parallelism which exists between

the opening formula, " but to the rest," and the two preceding ones, is manifestly intentional on St. Paul's part. As he has employed the first two formulas to introduce each time a distinct class of the Corinthian Christians to whom he wished to give appropriate directions with regard to the married state, so he now uses the third parallel formula to introduce another distinct class of the Corinthian faithful to whom he intends to impart special directions concerning the same state in life. The Christians whom he has now in view are those " brothers " and " sisters " of whom he speaks in the body of I Cor. vii, 12-16 as united in marriage to a " non-believing," that is, non-Christian, consort.[1] Such married Christians stand before his mind as clearly distinct from both the unmarried of whom he has treated in verses 8, 9, and " the married " (both of whom were Christians) to whom he has just given directions in verses 10, 11, for they are living in what

[1] As in this section (I Cor. vii, 12–16), St. Paul has not a single word of blame for the faithful united in marriage to a non-Christian partner, it is universally, and indeed rightly, admitted, that he is dealing here only with marriages contracted by two parties when as yet non-Christian, and transformed into, so to speak, *mixed* marriages by the subsequent conversion of either husband or wife to Christianity. Contrast with I Cor. vii, 12–16, the strong rebuke of Christians becoming yoked with unbelievers, which is found in II Cor. vi, 14 sqq.

may conveniently be called *mixed marriage.*[1] He therefore conceives of them as forming a special class by themselves, and this he denotes by the use of the adversative particle, δὲ, "*but* to the rest." He no less clearly realizes that such a third class of Christians includes all the remainder of the faithful needing directions with regard to the married state, and, in consequence, he rightly designates it by means of the expression, τοῖς λοιποῖς, "the rest."

A further study of the three opening expressions in I Cor. vii, 8, 10, 12:

> 8. to the unmarried and to the widows . . .
> 10. But to the unmarried . . .
> 12. But to the rest . . . ,

enables us to realize more definitely the extent to which, according to St. Paul's mind, Christians united to a non-Christian consort form a distinct class. As can readily be seen, the Apostle establishes the same distinction between Christians united to a non-Christian consort, and two mar-

[1] For the sake of convenience we will apply, throughout this chapter, the term "mixed" to such marriages between a non-Christian and a Christian partner, although the term is now restricted in theology to designate marriages between a Catholic and a baptized non-Catholic. The term "mixed" is used in the convenient manner just described, by R. Cornely, S.J., *Prior Epistola ad Corinthios,* p. 181 (Paris, 1890).

ried Christians, as between the latter and "the unmarried and the widows." As he has set forth the contrast which he has in view between the married (verse 10) and those not actually living in marriage (verse 8), by means of the expression, τοῖς δὲ γεγαμηκόσι, "*but to the married,*" so immediately afterwards he sets forth the contrast which he admits between two married Christians on the one hand, and Christians married to a non-Christian partner, on the other, by means of an exactly parallel expression, τοῖς δὲ λοιποῖς, "*but to the rest.*" It thus appears that on account of their actual condition in the married state, Christians united to a non-Christian consort are considered by the Apostle as forming a class no less apart from that of "the married," both of whom were Christians, than is the latter from the one which comprises "the unmarried and the widows." And this is an important conclusion, inasmuch as it naturally leads us to admit that the directions which he intends to give to "the rest" of the Corinthian faithful, are viewed by him as essentially no less different from those which he has just given to "the married," than the latter are from the directions already imparted to Christians not actually living in the married state.

That in taking this last position we are not ascribing to St. Paul a view of the matter that would be foreign to his mind is proved by the fact that to the opening expression, "but to the rest," he subjoins at once the significant words, λέγω ἐγώ, οὐχ ὁ Κύριος, "Say I, not the Lord." Obviously these additional words are intimately connected with the formulas, λέγω δὲ ("but I say"), and παραγγέλλω, οὐκ ἐγὼ, ἀλλὰ ὁ Κύριος ("I command, not I, but the Lord"), which the Apostle has used at the beginning of the two preceding sections, respectively:

I Cor. vii.

8a But *I say* to the unmarried and the widows . . .

10a But to the married *I command, not I, but the Lord* . . .

12a But to the rest *say I, not the Lord.* . . .

It is plain, for instance, that the words, "say I, not the Lord," are, like the preceding formulas, intended to point out the exact authority to which the Apostle refers the directions which he is about to impart to those whom he has in view. No less plain is it, that in writing, "say I, not the Lord," he has deliberately used words which he had already employed in framing the preceding for-

mulas. When these two things are distinctly borne in mind, the precise wording of the phrase, "say I, not the Lord," becomes highly significant. It discloses the fact that St. Paul places "the rest," though actually living in the marriage state, on practically the same basis as "the unmarried and the widows" spoken of in verses 8, 9. It is on that account that in verse 12, he has set aside the verb παραγγέλλω, "I command," of verse 10, to return to the verb λέγω, "I say," of verse 8. It is on that account, too, that he considers as not applying to the marriage tie of "the rest" the Lord's command which he has proclaimed with regard to "the married," both of whom were Christians. Had he viewed the marriage tie as equally binding in both cases, he would not have treated Christians living in mixed marriages as a class different from that of two married Christians, or at least he would not have explicitly denied that the command of "the Lord" applied to them, and would not have written, "say I, not the Lord." It therefore appears that the Apostle considers the marriage tie which exists between a Christian and a non-Christian consort as essentially different from the one which binds two married Christians. He uses the formula, "say I, not the Lord," because he knows that

Christ's authority has not made such mixed marriages indissoluble, and that it depends on his own apostolic authority—exactly as in the case of " the unmarried and the widows "—to frame the rules to be complied with in regard to the married state by Christians who are not actually bound by an indissoluble union.

**III. The Second Element Examined.** The foregoing interpretation of the clause, " But to the rest say I, not the Lord," wherewith St. Paul prefaces his directions to Christians married to a non-Christian partner, is powerfully confirmed by its thorough harmony with the manner in which he treats in the very next element of I Cor. vii, 12-16, the binding force of the mixed marriages he has actually in view. This second element runs as follows:

I Cor. vii.

12b If any brother has a non-believing wife
and she consents to dwell with him,
let him not dismiss her.
13. And if any wife has a non-believing husband [1]

[1] We have adopted this rendering of verse 13a because it undoubtedly sets forth St. Paul's mind, whichever of the two Greek readings: *καὶ γυνὴ ἔι τις ἔχει; καὶ γυνὴ ἥτις ἔχει,* be considered as primitive. For the authorities in favor of either reading, see R. Cornely, S.J., *Prior Epistola ad Corinthios,* p. 175 (Paris, 1890).

and he consents to dwell with her,
let her not dismiss him.

14. For the non-believing husband is hallowed in the wife,
and the non-believing wife is hallowed in the brother:
else were your children unclean; but now they are holy.

The best and, indeed, the only proper way to realize the full meaning of these lines is to go back in thought to the time when they were written, and to compare their tenor with the Jewish regulations of that day concerning marriages similar to those of which the Apostle treats here. In St. Paul's time there were, of course, numerous cases where marriages contracted by two Jews had been transformed into mixed unions, by the passage of one of the consorts to a different worship. In such cases the Jewish authorities naturally considered that it was within their province to decide what was the obligation incumbent upon the sole remaining believer with regard to the marriage relation, and they actually bound him to divorce the non-believing consort.[1]

[1] Cfr. A. Edersheim (*Sketches of Jewish Life in the Days of Christ,* p. 158) who states positively: "One of the cases in which divorce was obligatory was, if either party had become heretical, or ceased to profess Judaism." See also Mielziner, *The Jewish Law of Marriage and Divorce,* pp. 122, 123 (New York, 1901).

According to them this obligation was equally binding on the believing husband and the believing wife, for the simple reason that neither of them could continue the marriage intercourse without incurring a defilement[1] that would henceforth make their children "unclean" from "holy," as they were reputed before.

Now, whoever studies the lines above quoted (I Cor. vii, 12b-14), in the light of these historical circumstances of St. Paul's time, will find it easy to understand both his decision and the reason he gives therefor. The Apostle has distinctly before his mind marriages contracted by two non-Christian parties, and transformed into mixed unions by the subsequent conversion of only one of the consorts. In virtue of his own authority he professes to formulate a rule relative to the marriage tie only for the now Christian partner, who alone, as he knows full well, falls under his jurisdiction,[2] just as the Jewish authorities legislated in regard to mixed marriages, only for the partner who remained under their control. He addresses his rule equally to both the believing husband and

[1] In New Testament times, even the passing intercourse of a Jew with a Gentile was universally regarded as defiling (Cfr. Acts x, 14, 15, 28; xi, 3 sqq.; etc.).

[2] This is evident from St. Paul's statement in I Cor. v, 12, 13: "What have I to do with judging those that are without. . . . But those that are without, God judges."

the believing wife, exactly as the Jewish authorities applied their decision to both the one and the other. But while these Jewish authorities forbade the continuance of the marriage intercourse after one of the Jewish partners had embraced a different religion, he expressly declares that this intercourse must be kept up by the one who has been converted to Christianity, if the non-believing consort is willing to continue the marriage relation. He is fully aware that he thereby departs from the Jewish regulations then in vigor, and this is why, after formulating his own rule:

I Cor. vii.

12b If any brother has a non-believing wife
and she consents to dwell with him,
let him not dismiss her.
13. And if any wife has a non-believing husband
and he consents to dwell with her,
let her not dismiss him;

he adds at once a reason that will justify his decision:

I Cor. vii.

14. For the non-believing husband is hallowed in the wife,
and the non-believing wife is hallowed in the brother:
else were your children unclean; but now they are holy.

This reason may be briefly explained as follows: In a marriage contracted by two Jewish parties the change of religion on the part of one of them naturally meant in the eyes of the Jews at large the doing away with the sacred character of that partner, and therefore the diminishing of the holiness of the union and of its future progeny; the children born after the marriage had thus become mixed were considered not as "holy," but as "unclean." On this account the Jewish authorities described the consort who had remained faithful to Judaism as defiled by all subsequent marriage intercourse with the partner who had passed to a different religion, and they obliged him to break the marriage tie. But it was the very reverse which took place, according to St. Paul, when, out of two non-Christians united in marriage, one embraced Christianity. The change of religion was then a lifting up, a hallowing of the partner who had become a convert; it was an accretion of holiness for the union which, when persevered in by the Christian consort, did not defile, but sanctified the children; these would have been regarded as "unclean" had they been born before the marriage had become mixed; "but now they are holy." In view of this the Apostle represented the non-

believing party as "hallowed" by marriage intercourse with the Christian consort, and bade the latter to continue the marriage relation, if the former still agreed to cohabit.

It thus appears that while St. Paul utilized the existing legislation of the Jews in framing his own rule relative to mixed marriages, he materially modified its enactment. He clearly saw that it behooved him thus to modify it, since the introduction of Christianity into the world so profoundly changed the character of mixed marriages that it ennobled the union, instead of being detrimental to it, after one of the consorts had become a Christian. At the same time he no less clearly saw that, although made holier by the reception of Christianity by one of the partners, the matrimonial union was not thereby rendered indissoluble. He indeed forbade the Christian consort to conform to the existing legislation of the Jews, and to break the marriage tie, but this he did not forbid absolutely, for his prohibition is expressly conditioned by the willingness of the non-Christian partner to continue to cohabit:

I Cor. vii.

12b *If* any brother has a non-believing wife
*and she consents* to dwell with him,
let him not dismiss her.

> 13. And *if* any wife has a non-believing husband
> *and he consents* to dwell with her,
> let her not dismiss him.

Had he regarded such marriage bond as indissoluble, he would naturally have represented the obligation of maintaining it, as he had done in quoting and applying the command of "the Lord" to two married Christians, in the immediately preceding verses (I Cor. vii, 10, 11). Instead of this, he distinctly makes that obligation subordinate to the continuance of the will of one of the partners, and indeed of the one who, as a non-Christian, evidently looked upon the marriage tie as dissoluble. It is plain, therefore, that in writing I Cor. vii, 12b-14, the Apostle treated the marriage he had in view as a simple contract, which one of the parties might either give up, or, on the contrary, ratify, because the other party had materially altered his condition in relation to it, and the binding force of which persevered only when the latter alternative was actually realized.

**IV. The Third Element Examined.** That such was St. Paul's real frame of mind in forbidding the Christian consort to divorce the non-Christian partner is further confirmed by a careful study

of the third element of I Cor. vii, 15, 16. This third element may be rendered as follows:

I Cor. vii.

15. But if the non-believing [consort] departs,
let him depart.
The brother or sister is not enslaved in such
[cases],
but God has called us in peace.
16. For how knowest thou, O wife,
whether thou shalt save the husband?
or how knowest thou, O husband,
whether thou shalt save the wife?

In these verses, the Apostle manifestly deals with the case where the non-believing consort wants to give up the contract. His purpose is to set forth the Christian partner's exact obligation in such a contingency, and thereby to complete his decision " to the rest," that is, to Christians living in mixed marriages. In the opening line he concisely states the case which he has now in view. He supposes ( εἰ " if ") that the non-Christian partner, upon whom he still makes the whole future of the marriage relation to depend, is this time in an entirely opposite frame of mind (hence the use of the adversative particle δὲ " but "), to the one in which he has represented him in the preceding lines (I Cor. vii, 12c-14). Instead of

supposing that the non-believing consort accedes to the Christian's wish to continue to cohabit, the Apostle now conceives of him as having made up his mind to end the marriage intercourse: "But if the non-believing [consort] *departs.*" It is not a mere withdrawal that would leave the marriage bond intact that he has before his mind when he supposes that the non-Christian party withdraws, for he is writing, as we have seen in interpreting the immediately preceding lines (I Cor. vii, 12c-14), in distinct view of the Jewish obligation of divorcing in mixed marriages; and, in consequence, he denotes the non-believing consort's practical refusal to cohabit by means of the verb, χωρίζειν, a legal term implying the breaking of the marriage tie.[1]

Having thus briefly given the state of the case, St. Paul subjoins at once its solution. The gist of his decision is contained in one single word, the highly significant verb χωριζέσθω, "let him depart." This verb is, of course, directed to the Christian with whose line of action regarding the married state the Apostle is concerned throughout this section. It is the very verb which has just been used in the statement of the case,

[1] The meaning of χωρίζειν has been examined in our preceding chapter.

"but if the non-believing departs" (χωρίζεται) to denote the breaking of the marriage tie, so that it has manifestly the same general meaning in St. Paul's mind when he writes, χωριζέσθω "let him depart." Its peculiar form here is a permissive imperative (χωριζέσθω) which conveys the special idea that the non-Christian partner *may* carry out his intention of doing away with all marriage obligations, and that the Christian consort cannot and ought not hinder him from doing so.[1] Whence it appears that in writing,, "let him depart," the Apostle regards the union between two non-Christians as a breakable contract, and the non-believing partner as having the right actually to break it after its primitive condition has been materially changed by the conversion of the other party. But this does not exhaust the meaning of the expression, "let him depart." The simple use of that verb here implies, moreover, that the Apostle considers the Christian consort as not bound to remain unmarried after the departure of the non-believing partner. Had St. Paul thought differently of the case he would naturally have added some clause to make his

[1] Cfr. G. B. Winer, *A Grammar of the Idiom of the New Testament*, 7th edit., p. 310 sq.; Engl. Transl. edited by J. Henry Thayer (Andover, 1877).

mind clear in that regard, as he had actually done in the preceding section (I Cor. vii, 10, 11), where he explicitly bade the wife to remain unmarried (μενέτω ἄγαμος) after she was separated from her husband; nay more, it would have behooved him to insert some such clause, since at the beginning of the present section he had expressly stated that the command of "the Lord" forbidding remarriage did not apply to such mixed unions: "But to the rest say I, not the Lord," and since, in virtue of the universally-received notions of the day concerning divorce, the Christian's remarriage would naturally be regarded as lawful after he or she had been forsaken by the other partner.

In pursuance of his object of setting forth the Christians' obligation with regard to the married state when the non-believing partner wants to break the marriage tie, the Apostle completes and justifies in the remainder of the section his brief decision, "let him depart." Literally rendered, this remainder runs as follows:

I Cor. vii.

15c Not enslaved is the brother or the sister in such [cases],
but in peace God has called us.

> **16.** For how knowest thou, O wife,
> whether thou shalt save the husband?
> or how knowest thou, O husband,
> whether thou shalt save the wife?

In writing these lines St. Paul has plainly before his mind a Christian consort who is indeed aware of the refusal of the other partner to cohabit, but who has not yet been deserted.[1] He conceives of him as inclined not to allow the departure of the non-believing partner, and he suggests the reasons for which the Christian consort should come to the resolve prescribed by the decision, "let him depart." He clearly sees that the contract which he has represented in the preceding case (verses 12b-14) as binding on the Christian partner, because ratified by the non-believing party, should not be considered as binding, ἐν τοῖς τοιούτοις, "in such cases" as the present, where this ratification is actually refused. No less clearly does he realize that should the Christian persevere in feeling bound to the non-believing partner who now denies marriage rights, "the brother" or "the sister" would thereby be

[1] In verse 16, for instance, St. Paul speaks of the Christian consort as entertaining some hope of the conversion of the non-believing partner, should he prevail upon him not to depart; again, the expression "in such cases" in verse 15c, refers back to 15a: "But if the non-believing departs" wherein the present tense χωρίζεται excludes the actual departure of the non-Christian.

reduced to the condition of a slave with duties, without corresponding rights, in relation to a master. He therefore emphatically declares: "Not enslaved is the brother or sister in such [cases]," thereby assuring the Christian that on the score of the past marriage contract there is no reason why he should not abide by the apostolic decision, "let him depart." This done, St. Paul proceeds a step farther towards the object which he has in view. Over against the supposed, but unreal marriage obligation on the part of the believing partner, he distinctly sets the universal and ever-binding obligation of Christians to live in peace: "But in peace God has called us." According to his mind this is an unquestionable and urgent duty which should cause "the brother" or "the sister" to set aside not only all vain fear with regard to the past: "Not enslaved is the brother or the sister in such [cases]," but also all illusory hope concerning the future:

I Cor. vii.

16. For how knowest thou, O wife,
whether thou shalt save the husband?
or how knowest thou, O husband,
whether thou shalt save the wife?

Plainly the Christian consort could not reason-

ably expect anything like peace from the non-believing party who had made up his mind to sever the marriage tie, still less could he or she reasonably anticipate to win him over to Christianity. In consequence, the only wise line of action to be followed is the one prescribed by the Apostle, " let him depart."

**V. General Conclusions.** The following are the principal conclusions borne out by our study of I Cor. vii, 12-16. First of all, it cannot be doubted that when the passage is carefully examined in the light of the circumstances of the day, and its every word is taken in a natural sense, " the Pauline Privilege " is seen to allow the remarriage of a Christian only if the non-believing partner does not wish to abide by the primitive marriage contract. In the second place, in allowing this St. Paul is fully conscious that he does not go against the Lord's command, for he distinctly realizes and states that those for whom he so legislates do not fall under that command of " the Lord." As is well said by a leading Protestant commentator: " The Apostle expressly asserts, verse 12, that *Our Lord's words do not apply* to such marriages as are here contemplated. They were spoken to those *within the*

*covenant,* and as such apply immediately to the wedlock of Christians (verse 10), but *not to mixed marriages."* [1] Again, in framing his decision, the Apostle utilizes indeed the existing Jewish legislation with regard to marriages similar to those which he has in view, but he also modifies it to the extent required by the introduction of Christianity into the world. According to him, when a non-believing consort becomes a Christian he has no self-profanation to fear from a continuance of marriage intercourse with the one who remains unconverted, and in consequence St. Paul bids the now Christian partner to abide by the marriage contract, if the still non-believing party is willing to cohabit. Lastly, the apostolic decision contained in I Cor. vii, 12-16, once promulgated, has been most faithfully preserved by the Church down to the present day; like the Apostle of the Gentiles she still maintains that the marriage union entered upon by two Christians is indissoluble because subject to the command of "the Lord," and at the same time she regards the union contracted by two non-Christians as not invested with the same indissolubility: should one of the non-believing

[1] Henry Alford, *The Greek Testament,* vol. ii, p. 525. 6th edit. Cambridge, 1871.

consorts become a Christian, he or she may remarry if the other gives up the primitive contract.[1]

[1] Cfr. Concil. Trident., Sessio xxiv; Leo XIII, Encycl. *Arcanum* (Feb., 1880); and Catholic theologians and exegetes generally.

# CHAPTER VI

## CHRIST'S TEACHING CONCERNING DIVORCE IN ST. MT. V, 31, 32

### "Except because of fornication"

THE writings of the New Testament which we have hitherto examined ascribe to Our Lord one and the same unqualified opposition to divorce. This is the plain and unambiguous testimony of our second Synoptic Gospel, that of St. Mark. In Mk. x, 2-12, Jesus not only regards the Mosaic toleration of divorce as a legal concession made because of the hardness of the Jewish heart and in spite of God's primitive ordinance, but He rules it out from among His disciples, explicitly declaring to them that the marriage of either consort after divorce is an adultery. Equally clear and distinct is the witness of our latest Synoptic writing, the Gospel of St. Luke. Viewed in itself and in its context Lk. xvi, 18 attests that Our Lord proclaimed as tainted with adultery all remarriage after divorce, and that in doing so He alone proved

Himself faithful to the spirit of the Old Testament dispensation. Lastly, in writing to the members of the Corinthian Church, St. Paul sets forth in no uncertain terms Christ's actual opposition to divorce. According to I Cor. vii, 10, 11, marriages contracted by Christian partners are regulated by the Lord's command in virtue of which they are indissoluble. It is indeed true that immediately afterwards (I Cor. vii, 12-16) the Apostle speaks of cases where the marriage bond may be broken and remarriage be allowed after divorce. But he does so simply—as is evident from his words—because the marriages which he has now in view do not come under the command of "the Lord." Had he regarded such unions as contracted by members of Christ, he would never have treated them otherwise than indissoluble because of the absolute will of Christ in this regard (Cfr. I Cor. vii, 10, 11).

To all these passages, then, the Catholic apologist has a right to appeal as proving that the present teaching of the Roman Catholic Church is the very same as the one ascribed to Jesus in early documents of Christianity. Indeed, his position would be readily admitted by all non-Catholic interpreters of Holy Writ as well, were it not for the fact that in two passages of our

first Gospel (Mt. v, 31, 32, and Mt. xix, 3-12), the significant clause, "except for fornication," is actually placed on the lips of Christ Himself. In view of this exceptive clause it is oftentimes claimed that Jesus regarded "marriage as in itself indissoluble, except by death or by that which in its very nature is the rupture of marriage," [1] viz., adultery; and that St. Mark and St. Luke did not mention adultery as an exception, because it was understood as a matter of course. It behooves us, therefore, to look closely into these passages of St. Matthew's Gospel, and to determine accurately their real meaning. To reach this end more effectively we shall study them separately, and devote the present chapter to a careful examination of Mt. v, 31, 32, alone.

The following parallel columns present side by side the Greek text and the literal English rendering of this important passage:

Mt. v.

| | |
|---|---|
| 31. Ἐρρέθη δὲ· | 31. It was said also: |
| Ὃς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ | Whoever shall put away his wife, |
| δότω αὐτῇ ἀποστάσιον. | let him give her a bill of divorce, |

[1] J. Monro Gibson, *The Gospel of St. Matthew*, p. 270 (New York, 1901). Cfr. H. A. Meyer, *Critical and Exegetical Handbook to the Gospel of St. Matthew*, p. 132 (New York, Funk & Wagnalls, 1884); etc.

| | |
|---|---|
| 32. Ἐγὼ δὲ λέγω ὑμῖν ὅτι | 32. But I say to you that |
| πᾶς ὁ ἀπολύων τὴν γυναῖκα αὐτοῦ | Every one putting away his wife, |
| παρεκτὸς λόγου πορνείας | except because of fornication |
| ποιεῖ αὐτὴν μοιχευθῆναι, | makes her commit adultery, |
| καὶ ὃς ἐὰν ἀπολελυμένην γαμήσῃ, | and whoever shall marry one put away, |
| μοιχᾶται. | commits adultery. |

**I. Purpose of Writer of Mt. v, 31, 32.** It can be readily seen that while our first Evangelist intends to set forth in this short section Our Lord's teaching concerning divorce, he distinctly gives that teaching of the Master only in the second verse of the passage: "But I say to you," etc. Hence, one anxious to ascertain the doctrine which the writer of the present section ascribes to Jesus regarding that great ethical question might be tempted to neglect Mt. v, 31, as foreign to his object, and to determine Christ's mind concerning divorce by means simply of Mt. v, 32. In point of fact, many interpreters who deal with this passage of our first Synoptist treat the contents of Mt. v, 32, as if they were practically independent of those of the immediately preceding verse, and infer from Mt. v, 32,

thus separately considered, what they think ought to be regarded as the personal teaching of Our Lord concerning divorce. Such a method of interpretation is decidedly incorrect. It is plain to the attentive reader of the section before us that the two verses of which it is made up should not be explained apart from each other. Our first Evangelist manifestly bound them together under the form of an antithesis, and thereby meant that their respective contents be understood as in opposition to each other. Mt. v, 31, quotes an older saying concerning the practice of divorce:

> *It was said also:*
> Whoever shall put away his wife,
> let him give her a bill of divorce;

Mt. v, 32 sets over against it a more recent saying of Christ concerning the same important topic:

> *But I say to you that*
> every one putting away his wife
> except because of fornication
> makes her commit adultery,
> and whoever shall marry one put away,
> commits adultery.

The opposition thus contemplated by the Evangelist between the two sayings which he

quotes in Mt. v, 31, and Mt. v, 32, respectively, can be readily determined in a more precise manner. The antithesis in Mt. v, 31, 32, is not an isolated one. In this very same Chapter V of St. Matthew's Gospel there are five other antitheses [1] with which Mt. v, 31, 32, can be easily compared, inasmuch as they are all built on the same lines as Mt. v, 31, 32. In each and all of them an older saying, to be immediately contrasted with a more recent one of Jesus to His disciples, is invariably introduced by the same formula: "It was said" (ἐρρέθη), as is used in Mt. v, 31a; and in each and all of them, exactly as in Mt. v, 32a, the more recent and contrasted saying of Christ is invariably introduced by the words: "But I say to you." Now, the exact kind of opposition which our first Evangelist had in mind to express by means of the formulas: "It was said," and "But I say to you," in these five other antitheses, is perfectly ascertained. In each and all of these antitheses, the first expression, "It was said" serves unquestionably to introduce, not a strict quotation of the Mosaic Law, but a solemn declaration of the sense in which the text of the written Law of Moses had been under-

[1] These antitheses are Mt. v, 21, 22; 27, 28; 33–37; 38, 39; 43–48.

stood by Jewish tradition [1] and was expounded by Jewish teachers in the synagogues.[2] As regards the second expression, "But I say to you," which is found also in each and all of these five antitheses, it is no less unquestionably employed each time to introduce a saying of Jesus, wherein He, the Master teaching His own disciples, finds fault openly with the sense in which the text of the written Law had been hitherto interpreted and enforced by the official teachers of the Jews. Thus then, in these five cases, St. Matthew employed these two introductory formulas with the intention of setting forth, by means of an antithesis, the opposition which existed between two interpretations of the written text of the Mosaic Law, the one given by the Jewish authorities and the other by Our Lord. And in view of this it is only natural to conclude that our first Evangelist employed these same

[1] This is true even of the saying: "Thou shalt not commit adultery," found in the antithesis in Mt. v, 27, 28. This saying is indeed made up of the very words of the Mosaic command in Exodus xx, 13, and Deut. v, 17; yet it sets forth the Mosaic words in their Jewish traditional sense, whereby the *actual* commission of adultery was the only sin forbidden by the written text of the Mosaic Law.

[2] In all these five antitheses, the verb ἐρρέθη is preceded by ἠκο : "*You have heard* that it was said," a fact which proves that each time there is question of an authoritative saying of the Jewish expositors in the synagogues, and distinctly remembered by their hearers.

two formulas with the same intention in the antithesis found in Mt. v, 31, 32:

Mt. v.

31. *It was said also:*
whoever shall put away his wife,
let him give her a bill of divorce.
32. *But I say to you* that
Every one putting away his wife
except because of fornication
makes her commit adultery,
and whoever marries one put away,
commits adultery.

This conclusion as to the exact intention of our first Evangelist in writing Mt. v, 31, 32, is put altogether beyond question by the study of his purpose in framing the series of antitheses which he has embodied in one and the same chapter of his Gospel, and in the midst of which he has inserted the antithesis found in Mt. v, 31, 32.[1] St. Matthew's purpose in that regard is not left in any way to our surmising. Just before setting forth all those antitheses, our first Evangelist records the following declarations of Jesus:

Mt. v.

17. Do not think that I came to destroy the Law or the Prophets;
I came not to destroy, but to fulfil.

[1] This antithesis is preceded by two, and followed by three, other antitheses.

**18. For amen I say to you:**
**Till heaven and earth pass away,**
**one yod or one tittle shall not pass from the Law,**
**till all things be accomplished.**

**19. Whoever therefore shall break one of these least commandments**
**and shall so teach men,**
**shall be called least in the kingdom of heaven;**
**but whoever shall do and teach,**
**he shall be called great in the kingdom of heaven.**

**20. For I say to you that**
**Unless your righteousness exceed [that] of the Scribes and Pharisees,**
**you shall not enter into the kingdom of heaven.**

The Evangelist's line of thought in these verses can easily be made out. Jesus was charged by the official expounders of the Sacred Text with destroying it because he required for entering into the kingdom of heaven a righteousness different from that of the Scribes and Pharisees, that is, different from the one that was secured by a strict fulfilment of that Sacred Text as interpreted by Jewish oral tradition. This oral tradition was held by all, as setting forth so perfectly the contents of the written Text, that all that was required from a teacher of the Law was

to proclaim the oral tradition most faithfully and to carry it out scrupulously.[1] To affirm therefore—as Jesus was actually doing—that the traditional interpretation of the Law, when faithfully promulgated and acted upon by the Scribes and the Pharisees, was unable to secure admission into the kingdom of heaven, was to affirm this also of the Law itself and consequently to destroy it. It is plainly in view of this accusation against his Master that our first Evangelist has written Christ's declarations in Mt. v, 17-20, and has prefixed them to the authentic sayings which immediately follow in our first Gospel. Our Lord's declarations in Mt. v, 17-20, amount to this: "I came not to destroy, but to fulfil. It is really to fulfil, that I require a higher righteousness, the higher including naturally the lower 'righteousness of the Scribes and Pharisees.' It is to fulfil, that in my interpretation of the written text of the Law I include small particles of it—even a yod or a tittle of it—which have been lost sight of by those who framed the

[1] With regard to the teacher's duty concerning the *oral* law handed down by tradition, and considered by the Jews as rendering impossible every unwitting transgression of the Law of Moses, A. Edersheim pertinently remarks: "Nothing here could be altered, nor was any freedom left to the individual teacher, save that of explanation and illustration." (*Sketches of Jewish Social Life in the Days of Christ*, p. 288. Boston, 1875).

traditional interpretation propounded by the official teachers in the synagogues. It is to fulfil, that I declare that only the one who faithfully promulgates and acts upon this inclusive interpretation of the text of the Law can be called great in the kingdom of heaven, or even can hope for admittance into it." Such is the obvious meaning of Our Lord's declarations in Mt. v, 17-20; and in order that he may enable his Jewish readers to realize for themselves the manner in which Jesus' teaching fulfilled the Law down to its "yod and tittle," differently from the teaching of the official expounders of the Law, our first Evangelist gives at once the series of antitheses among which is found Mt. v, 31, 32. It is therefore from this standpoint that it behooves us to interpret the two members of the antithesis in Mt. v, 31, 32, if we wish accurately to realize the doctrine which St. Matthew ascribes therein to the Jewish authorities and to Our Lord respectively. These two members set the two doctrines contrasted, in such an opposition that the first—that of the official expounders of the Law—must be taken as an imperfect interpretation of the written text of the Law concerning divorce, and that the second—that of Jesus to His disciples—must be taken, on the

contrary, as the one which fulfils that same sacred text down to its very "yod or tittle."

**II. Mt. v, 31, 32, Points Back to Deut. xxiv, 1–4.**

It must indeed be granted that, in reference to some of the antitheses grouped in the fifth chapter of our first Gospel, it is difficult to point out the exact passage of the written text, of which the Evangelist regards the traditional Jewish saying as a defective, and Christ's opposite saying as a perfect, interpretation. But, it can readily be seen that the case is quite different with the antithesis in Mt. v, 31, 32:

Mt. v.

31. It was said also:
Whoever shall put away his wife,
let him give her a bill of divorce.
32. But I say to you that
Every one putting away his wife
except because of fornication
makes her commit adultery,
and whoever marries one put away,
commits adultery.

Both members of this antithesis plainly bear on the question of divorce, and the classical passage of the Mosaic Law, in which centered the discussions of Shammai and Hillel (first cent. B.C.) and of their respective schools (first cent. of our era) concerning the practice of divorce, is un-

doubtedly the one which is found in Deuteronomy xxiv, 1-4, and the full text of which reads literally as follows:

Deut. xxiv.

1. When a man taketh a wife, and marrieth her, and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency, that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,
2. and she departeth out of his house, and goeth and becometh another man's [wife],
3. and the latter man hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house, or if the latter man who took her as his wife die;
4. her former husband who put her away is not allowed to take her again to be his wife, after that she is defiled, for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance.

On the basis of this text the Shammaites and the Hillelites were still at variance in Our Lord's time, as to the cause that would justify a man in putting away his wife. The former maintained that the husband might do so only because of unfaithfulness; the latter, on the contrary, affirmed that he might act thus for practically

any cause. Hence, it was only natural that when Deut. xxiv, 1-4, was read in the synagogue, the official expounders of the Law should promulgate what had been settled by tradition as to the full meaning of the text, viz., what we find recorded by our Evangelist in Mt. v, 31:

> Whoever shall put away,
> let him give her a bill of divorce.

And it is manifestly because Our Lord is conceived by St. Matthew as finding fault with such traditional interpretation of that same text of Deuteronomy that He is represented as declaring in Mt. v, 32:

> But I say to you that
> Every one putting away his wife
> except because of fornication
> makes her commit adultery,
> and whoever marries one put away,
> commits adultery;

for in these lines the mention of the cause of fornication and of the commission of adultery points distinctly back to particulars found in Deut. xxiv, 1-4,[1] and apparently ignored by Jewish tradition.

[1] The verb טמא in the expression "after she is defiled" which is used of the marriage of a divorced woman in Deut. xxiv, 4, is the one applied to adultery in Levit. xviii, 20; Numbers v, 13, 14, 20.

We therefore see what is the precise opposition intended by our first Evangelist in writing the antithesis in Mt. v, 31, 32. The opposition which he contemplates is one which exists between two rival interpretations of Deut. xxiv, 1-4, and the latter of which alone fulfils in his eyes the wording of that Mosaic passage.

**III. Mt. v, 31, in the Light of Deut. xxiv, 1–4.**

Having thus made out the exact standpoint from which St. Matthew quotes the two sayings which form the antithesis in Mt. v, 31, 32, we now proceed to determine their respective meaning in the light of Deut. xxiv, 1-4, that is, of the written text of the Law to which they both point back. We naturally begin with the Jewish saying which is set forth first by our Evangelist:

Mt. v, 31b c.

| | |
|---|---|
| Ὃς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ, | Whoever shall put away his wife, |
| δότω αὐτῇ ἀποστάσιον. | let him give her a bill of divorce. |

This is the traditional pronouncement concerning the practice of divorce, the natural meaning of which the official expounders of the Mosaic Law

considered as stating adequately the requirements of Deut. xxiv, 1-4:

Deut. xxiv.

1. When a man taketh a wife, and marrieth her, and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency, that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,

2. and she departeth out of his house, and goeth and becometh another man's [wife],

3. and the latter man hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house, or if the latter man who took her as his wife die;

4. her former husband who put her away is not allowed to take her again to be his wife, after that she is defiled, for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance.

Immediately after the public reading and translating of this section of the Law in the synagogues,[1] the Jewish teachers proclaimed the say-

[1] As the Hebrew language had become unknown to the people at large, having given place to the Aramaic, an interpreter stood by the side of the reader in the synagogue and translated verse by verse into the vernacular.

ing recorded in Mt. v, **31**, thereby making it known officially to their hearers that all that was required by this Deuteronomic passage from a man who was determined to put away his wife, was that he should give her a bill of divorce. And, indeed, it must have been in their eyes an easy matter to show how the saying handed down by tradition was the strict equivalent of the Mosaic enactment concerning divorce in Deut. xxiv, 1-4. According to them, Moses in this passage does not forbid divorce, but regulates its practice. After, as before, this enactment a man may lawfully put away his wife, since in this very decree Israel's lawgiver speaks of the dismissed wife as "going and becoming another man's [wife]" (Deut. xxiv, 2); as susceptible of being put away by this latter man (verse 3), in which event she may still remarry, except however, "her former husband who put her away" (verse 4). But after, differently from before, the decree contained in Deut. xxiv, 1-4, whoever is determined to part for ever with his wife cannot do so lawfully without supplying her with a bill of divorce, since this supplying is distinctly mentioned by Israel's lawgiver in connection with the two men whose action he describes in the framing of his decree:

| (*Case of the first man.*) | (*Case of the second man.*) |
|---|---|
| 1. When a man taketh a wife | 2. and she departeth out of his house and goeth |
| and marrieth her, and it cometh to pass | and becometh another man's [wife], |
| if she find no favor in his eyes, | 3. and the latter man hateth her |
| because he hath found in her some indecency, | . . . . . |
| that *he writeth her a bill of divorce* | and *writeth her a bill of divorce* |
| *and delivereth* [it] *into her hand,* | *and delivereth* [it] *into her hand,* |
| and putteth her out of his house, | and putteth her out of his house, |
| . . . . . | or if the latter man die, etc. |

In the case of the two men spoken of in these lines, the bill of divorce is mentioned as a prerequisite for the woman's dismissal, and in the case of both the first husband and the man who married her after she had been put away, it is only upon the giving of that bill that she is assumed to be free to look for another man. Hence, the Jewish expounders of the Law could readily claim that this Deuteronomic passage simply required for a man's lawful dismissal of his wife, that he should give her a bill of divorce,

as is exactly set forth in the traditional saying:

Mt. v, 31.

It was said also:
*Whoever* shall put away his wife,
*let him give her* a bill of divorce.

The wording, "whoever" (ὃς ἂν), in that saying, represented correctly, according to them, the mind of the great lawgiver of Israel, since in framing his decree he had embraced all the possible cases of a lawful dismissal, viz., that of a man who puts away a woman who had never been married before to anybody else, and that of a man who dismisses one who had been put away from a husband. Again, the expression, "let him *give her* a bill of divorce" (δότω αὐτῇ) used in the saying handed down by tradition, included manifestly both the *writing for her,* and the *delivering into her hand* of that document, which are specified for the two dismissals spoken of in Deut. xxiv, 1-4. Finally, they could easily maintain that the traditional saying is not a defective interpretation of the Mosaic decree; although differently from Deut. xxiv, 1-4, it contains no reference to the cause of fornication ערות דבר, literally: *the nakedness of a thing.* For this purpose they had only to appeal to the differences noticeable in the respective wording

of the two cases described by the framer of the Deuteronomic decree. The second man is indeed represented, like the former husband, as determined to put away the woman with whom he is living, and his action is assumed to be no less lawful than that of the former. And yet, while the first husband is said to be in that frame of mind, " because he hath found in her some indecency," of the latter man it is simply written, " and the latter man hateth her." The omission of the clause, " because he hath found in her some indecency," in this second case was of course a deliberate one on the part of Moses, and hence should be treated as implying that he regarded the giving of a bill of divorce, irrespectively of the only cause which he had precedently mentioned, as sufficient to make a wife's dismissal perfectly lawful. This inference would appear to the Jewish jurists all the surer, because in describing the conduct of the second man the Mosaic legislator had said:

Deut. xxiv, 3.

and the latter man hateth her
and writeth her a bill of divorce
and delivereth [it] into her hand,
and putteth her out of his house,
*or if the latter man die, etc.*

The addition of the clause, "or if the latter man die," in this second case, was easily construed as showing that the simple supplying of a bill of divorce by a man—independently of any cause, since the mention of a cause is now dropped—placed the latter man before the mind of Moses in exactly the same condition as that of a dead husband. And in point of fact, it is because of this additional clause in Deut. xxiv, 3, that the Jews had it that "a woman is loosed from the law of a husband by only one of two things: a bill of divorce, or the husband's death."[1] In understanding, then, the words of the traditional saying:

Mt. v, 31.

Whoever shall put away his wife,
let him give her a bill of divorce;

as allowing a man's dismissal of his wife under the sole condition that he would give her a bill of divorce—for whatever cause he gave it—the official teachers of the Law felt quite sure that they were setting forth an adequate interpretation of the Mosaic enactment in Deut. xxiv, 1-4. It is this conviction on their part which accounts for the manner in which such authorized

[1] The Talmud of Jerusalem, treatise *Qiddushin*, chap. i, pp. 193, 202 (French Transl., M. Schwab, tome ix. Paris, 1887).

expositors of the Mosaic Law as Philo (about 20 B.C.–A.D. 50) and Josephus (about 37–100 A.D.) give the requirements of Deut. xxiv, 1-4. The latter, for instance, says expressly: "He who desires to be divorced from his wife for any cause whatever (and many such causes happen among men) let him in writing give assurance that he will never use her as his wife any more; for by this means she may be at liberty to live with another man, although before this bill be given, she is not permitted to do so: but if she be misused by him also, or if, when he is dead, her first husband would marry her again, it shall not be lawful for her to return to him." [1] It is this conviction, too, which caused official expounders of the Law to look upon divorce in the light of a privilege granted only to the Jews, not to the Gentiles; [2] to consider the giving of a bill of divorce as the simple and safe means that severed the marriage tie no less effectively than death itself, and to act accordingly.[3] It was this

[1] Josephus, *Antiquities of the Jews,* Book iv, chap. viii, § 23.

[2] Talmud of Jerusalem, *loc. cit.,* p. 197.

[3] Josephus, *Life* (75, 76) describes his own freedom in dealing with the marriage tie.—A. Edersheim (*Life and Times of Jesus the Messiah,* vol. ii, p. 332, footnote 5) pertinently remarks: "Two disgusting instances of Rabbis making proclamation of their wish to be married for a day (in a strange place, and then divorced), are mentioned in *Yoma* 18b."

conviction on their part, finally, which naturally accounts for the fact that the official teachers of Israel accused Our Lord of destroying the Law in its enactment concerning divorce, and that our first Evangelist felt it necessary to refute them by setting forth in Mt. v, 32, Christ's different interpretation which alone he knew to fulfil the text of that passage of the Mosaic Law, down to its "yod or tittle."

**IV. Mt. v, 32, a Fulfilment of Deut. xxiv, 1–4.**

The foregoing examination of Mt. v, 31, in the light of Deut. xxiv, 1-4, enables us then to realize how the Jewish authorities, when promulgating and enforcing their traditional saying concerning the practice of divorce, actually thought that they were setting forth fully the meaning of the Mosaic enactment regarding the same point. They required simply the supplying of a bill of divorce from the man who wanted to put away his wife, because they thought that the giving of the document—for whatever cause given—was the only thing prescribed for this purpose by Deut. xxiv, 1-4; and they regarded the wife thus dismissed, as a woman free to marry another man, because in their eyes, Deut. xxiv, 1-4, treated her as such.[1]

[1] Cfr. Josephus, *Antiquities of the Jews*, Book iv, chap. viii, 23.

And yet, they were indeed very far from having realized the exact meaning of the Mosaic enactment. The text of this passage, whose least provisions they considered as embodied in their traditional saying, contains an expression the bearing of which on the practice of divorce they had undervalued, and the importance of which can hardly be exaggerated for realizing the sense in which our first Evangelist understands the Mosaic text in Deut. xxiv:

1. When a man taketh a wife and marrieth her (ובעלה), and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency (ערות דבר), that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,
2. and she departeth out of his house, and goeth and becometh another man's (האיש אחר),
3. and the latter man (האיש) hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house, or if the latter man (האיש) who took her as his wife, die;
4. her former husband בעלה who put her away is not allowed to take her again to be his wife, after that she is defiled (הטמאה): for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance.

This most important expression is, "after that she is defiled," wherewith the Mosaic lawgiver qualifies in Deut. xxiv, 4, the marriage intercourse of a divorced woman with a man different from her first husband. The verb טמא, "to defile," used in that expression, is the one which he has employed in his description of the commission of adultery in Leviticus xviii, 20, and Numbers v, 13, 14, 20.[1] Whence it clearly follows that in the eyes of the framer of the decree in Deut. xxiv, 1-4, the one put away spoken of in the preceding verses (Deut. xxiv, 1-3) is truly the wife of the husband who has dismissed her and who is still living: he conceives of her as one bound by the marriage tie, despite the fact that he has described her dismissal by that husband "because he hath found in her some indecency," and by means of a bill of divorce, and therefore speaks of her marriage intercourse with "another man" as an adulterous defilement. And this throws at once a vivid light upon what St. Matthew regards as the exact meaning of the Mosaic enactment in Deut. xxiv, 1-4, concerning a husband's dismissal of his wife. The case of dismissal distinctly dealt with by the lawgiver of Israel is that of a man who thinks that

[1] Cfr. Ezechiel xxiii, 17.

he has a perfect right not to consider himself responsible for the subsequent remarriage of the wife whom he is determined to put away. This right the lawgiver allows in the supposition that the man in question has really the grievance alleged: "if she find no favor in his eyes, *because he hath found* in her some indecency "(ערות דבר) literally: "the nakedness of a thing," a euphemism signifying a charge (*causa*) or proof of conjugal infidelity.[1] To deter such a man, however, from acting upon his right and thereby exposing the dismissed wife to what he regards as an adulterous intercourse with another man under the cover of a second marriage, the Deuteronomic writer declares expressly that the dismissing husband will not be allowed to live again with her, as husband and wife, "after that she is defiled." Viewed, then, from the standpoint of the expression, "after that she is defiled," used of a remarried divorced woman, the straightforward meaning of Deut. xxiv, 1-4, according to St. Matthew, comes to this: the remarriage of a woman divorced because of her alleged unfaithfulness and by means of a bill of divorce, is an adulterous

[1] For the discussion of the exact meaning of *'erwath dabhar* ("the nakedness of a thing"), see Appendix II, at the end of the volume.

union for which a dismissing husband is responsible unless the cause of dismissal, supposed in the lawgiver's words (viz., unfaithfulness), be really verified in her case, and the man who marries her shares, of course, directly and necessarily in the guilt of that union.

Bearing this in mind, one can readily see how our first Evangelist would naturally represent in Mt. v, 31, 32, the Jewish authoritative saying as a defective interpretation of Deut. xxiv, 1-4, and the opposite saying of Christ as a perfect fulfilment of that Mosaic passage. The Jewish saying:

Mt. v, 31.

> It was said also:
> Whoever shall put away his wife,
> let him give her a bill of divorce;

is an altogether wrong interpretation of Deut. xxiv, 1-4, since it supposes that in that passage Moses allowed a man's dismissal of his wife for any cause, and simply required him to supply his dismissed wife with a bill of divorce whereby she might be permitted to marry again.[1] Our Lord's opposite saying to His disciples:

[1] Cfr. the words of Josephus quoted already from his *Antiquities of the Jews*, Book iv, chap. viii, 23.

Mt. v, 32.

> But I say to you that
> every one putting away his wife
> except because of fornication
> makes her commit adultery,
> and whoever shall marry one put away,
> commits adultery;

sets forth accurately the particulars contained in Deut. xxiv, 1-4, which have a bearing on the lawfulness of a man's dismissal of his wife, or rather sets them all forth more expressly and fully. In Mt. v, 32, as in Deut. xxiv, 1-4, the commission of adultery is mentioned as the result of the marriage of one put away by her husband; the Deuteronomic expression, "after that she is defiled," finds its most explicit equivalent in Christ's words, "makes her commit adultery," "whoever shall marry one put away, commits adultery." In Mt. v, 32, even more distinctly than in Deut. xxiv, 1-4, that commission of adultery is represented as the personal sin of the remarrying divorced woman; in saying that she *commits adultery,* Jesus conveys fully the idea implied in the Hothpa'al form of the Hebrew verb טמא in the Deuteronomic phrase, "after that she is defiled," literally, "after that she has allowed her-

self to be defiled," of course adulterously, as we have seen. In Mt. v, 32, more explicitly than in Deut. xxiv, 1-4, the dismissing husband is conceived as responsible conditionally for her sin of adultery, his responsibility in that regard being dependent on the presence or absence of the one condition mentioned in the Mosaic text, viz., the wife's unfaithfulness, which is evidently stated more plainly in our first Gospel, " except because of fornication," than in the Deuteronomic passage: " if she find no favor in his eyes because he hath found in her the nakedness of a thing." Finally, Our Lord's last sentence: " and whoever marries one put away, commits adultery," brings out explicitly the fact that the man who marries a divorced woman, directly and necessarily commits adultery with her, a fact which the Deuteronomic lawgiver had simply left implied in his expression, " after that she is defiled."

Well, then, could our first Evangelist feel entitled to consider Our Lord's saying concerning divorce as fulfilling the text of Deuteronomy xxiv, 1-4, differently from that of the official expounders of that same text in the synagogues. Well could he set it over against that of the Jewish teachers, in one of those antitheses which he grouped in the fifth chapter of his work as so

many illustrations that Jesus " had not come to destroy but to fulfil " by setting forth a doctrine which embodied the requirements of the Law to " its yod and tittle," and which, if acted upon, secured a righteousness greater than that of the Scribes and Pharisees, a righteousness necessary to enter into the kingdom of heaven.

**V. Doctrine Ascribed to Jesus in Mt. v, 32.** Having thus determined the relation of fulfilment in which Mt. v, 32, stands to Deut. xxiv, 1-4, it becomes very easy to point out, by way of conclusion, the precise doctrine concerning divorce which our first Evangelist ascribes to Jesus in His saying:

Mt. v, 32.

> But I say to you that
> Every one putting away his wife
> except because of fornication
> makes her commit adultery,
> and whoever marries one put away,
> commits adultery.

It is the doctrine of One, who, like the Mosaic lawgiver, looks upon remarriage after divorce as an adulterous defilement; the dismissed wife " commits adultery " if she remarries, and " who-

ever marries one put away commits adultery." [1] It is the authoritative teaching of One who has come "not to destroy but to fulfil" the Law, by declaring solemnly to His disciples that even the very highest apparent ground (viz., conjugal unfaithfulness) for divorce, is but a condition which makes lawful the permanent separation of husband and wife.[2] It is a doctrine entirely opposed to that contained in the Jewish traditional saying:

Mt. v, 31.

It was said also:
Whoever shall put away his wife,
let him give her a bill of divorce;

while in the eyes of the Jewish teachers any reason was valid for a man to divorce his wife, and his giving of a bill of divorce severed the marriage tie as perfectly as death, Jesus, on the contrary, affirms that no reason is valid for that purpose,

[1] In view of the fact that the expression "after that she is defiled" in Deut. xxiv, 4, places the marriage intercourse of a divorced woman in the same category as adultery, Keil significantly remarks: "The marriage of a divorced woman is thus treated implicitly as tantamount to adultery, and the way is prepared for the teaching of Christ on the subject of marriage: 'whoever marries one put away commits adultery' (Mt. v, 32)."

[2] As distinctly admitted by B. Weiss (*Die Vier Evangelien*, p. 86. Leipzig, J. C. Hinrich, 1905), with regard to the exceptive clause, except because of fornication: "Von einem Ehescheidungsgrunde ist nicht die Rede, wie der bedingungslose Parallelsatz zeigt."

and does not mention the giving of a bill of divorce which could be necessary only in the supposition that divorce could be practised.[1] Finally, it is the very doctrine of an absolute rejection of divorce, which we have already found embodied in the other early documents of Christianity that we have examined, the very doctrine of an absolute rejection of divorce distinctly taught by the Catholic Church down to the present day.

[1] "The bill of divorce," says pertinently H. J. Holtzmann (*die Synoptiker,* 3d edit., p. 211), "was to allow the remarriage of a woman who was in possession of the said document. The possibility of obtaining such an object, however, is annulled by the declaration that *whoever marries a dismissed* woman, *commits adultery* himself, because according to divine right she is not free, but is the wife of another."

# CHAPTER VII

## CHRIST'S TEACHING CONCERNING DIVORCE IN FIRST PART OF MT. XIX, 3–12

"What God has joined together, let not man put asunder"

In our last chapter, we examined the passage of St. Matthew (v, 31, 32) which sets forth Our Lord's teaching concerning divorce with the significant clause: παρεκτὸς λόγου πορνείας "except because of fornication." The passage, as we pointed out, is one of the antitheses grouped together by our first Evangelist in the fifth chapter of his Gospel, for the general purpose of illustrating the manner in which Christ's doctrine, although in direct opposition to the received interpretation of the Law by the Jewish authorities of the time, nevertheless did not destroy but fulfilled the Law (Cfr. Mt. v, 17-20). Thus viewed, Mt. v, 31, 32:

Mt. v.

31. It was said also:
Whoever shall put away his wife
let him give her a bill of divorce.

> 32. But I say to you that
> Everyone putting away his wife
> except because of fornication
> makes her commit adultery,
> and whoever shall marry one put away,
> commits adultery;

has for its special object to show that Our Lord's doctrine concerning divorce, although opposed to that of the Jewish teachers of the day, far from running counter to the classical text of Deuteronomy xxiv, 1-4, regarding divorce, fulfils it to its " yod " or " tittle." On the basis of this Deuteronomic passage:

Deut. xxiv.

> 1. When a man taketh a wife and marrieth her, and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency, that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,
>
> 2. and she departeth out of his house, and goeth and becometh another man's [wife],
>
> 3. and the latter man hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house; or if the latter man who took her as his wife, die;
>
> 4. her former husband who put her away, is not allowed to take her again to be his wife, after that she is defiled, for this is an abomination before Yahweh, and thou shalt not cause to sin, the land

> which Yahweh, thy God, giveth thee [as] an inheritance;

the official expounders of the Law maintained that Moses had considered as lawful the action of a man who, for whatever cause, dismissed his wife by means of a bill of divorce; and in consequence, they confidently proclaimed in their synagogues the traditional rule quoted in Mt. v, 31:

> Whoever shall put away his wife,
> let him give her a bill of divorce.

According to them, whoever acted upon this rule secured fully the righteousness of the law; by the bill of divorce he had enabled his dismissed wife to remarry lawfully, and therefore was not responsible for any adultery on her part after he had thus put her away. Whoever, on the contrary, went against this rule, was positively wrong; by withholding the bill of divorce which alone would have enabled his dismissed wife to unite herself lawfully to another man,[1] the husband maliciously exposed her to an adulterous union after he had refused to live any more with her.[2] Over against this Jewish interpretation of

[1] Cfr. Josephus, *Antiquities of the Jews*, Book iv, chap. viii, 23.

[2] This is exactly the manner in which the malice of the withholding of a bill of divorce by Papos ben Juda is described in the Talmudic treatise *Sota*, chap. i, 7 (Talmud transl. by M. Schwab, vol. vii, p. 236).

Deut. xxiv, 1-4, our first Evangelist sets in Mt. v, 32 :

> But I say to you that
> Everyone putting away his wife
> except because of fornication
> makes her commit adultery,
> and whoever shall marry one put away,
> commits adultery;

a very different one which he represents as the positive teaching of Christ to His disciples concerning divorce. In the eyes of St. Matthew, the traditional rule of the Jews was decidedly incorrect: it not only set aside the cause required by Israel's lawgiver from the man who was determined to put away his wife, viz., "because he hath found in her some indecency" ערות דבר; but it also treated as lawful the remarriage of a dismissed wife who was supplied with a bill of divorce, whereas Moses had spoken of this remarriage as an adulterous defilement: "after that she is defiled." The doctrine of Christ, on the contrary, fulfilled perfectly, according to our first Evangelist, the requirements of the Deuteronomic text, in this twofold respect: a dismissed wife cannot remarry without committing adultery together with the man who marries her, and the dismissing husband is responsible for that

adultery, if he puts her away without the specified cause: " except because of fornication " (the Greek: λόγος πορνείας, being treated as the equivalent of the Hebrew: (ערות דבר).

Such is the natural meaning of the antithesis in Mt. v, 31, 32, when considered in relation to the fulfilment of Deut. xxiv, 1-4, that is, in a relation manifestly intended by our first Evangelist. Such is the meaning which we established in our foregoing chapter, and in virtue of which we concluded that Mt. v, 31, 32, like the passages of the other early documents of Christianity examined before, ascribes to Our Lord the absolute rejection of divorce which the Roman Catholic Church has always enforced as Christ's own doctrine concerning that great ethical question. Such is also the meaning which, as can be readily seen, it behooves us distinctly to bear in mind while endeavoring to determine the exact sense of Mt. xix, 3-12, the last passage which remains to be examined to complete our exegetical study on Christ's teaching concerning divorce in the New Testament: this last passage, like the one studied in the foregoing chapter, is found in St. Matthew's Gospel, and sets forth Our Lord's teaching concerning divorce with a restrictive clause as to fornication, " nisi ob fornicationem."

The following is the literal English rendering of this last important passage:

Mt. xix.

3. And Pharisees approached Him
tempting Him and saying:
Is it lawful to put away one's wife
for every cause?

4. But He answering said: Have you not read that
the Creator [1] from the beginning
made them male and female? 5. and said:
On account of this a man shall leave his father and
his mother,
and shall cleave to his wife,
and the two shall become one flesh?

6. so that they are no longer two, but one flesh.
What therefore God has joined together,
let not man put asunder.

7. They say to Him:
Why then did Moses command to give a bill of
divorce
and to put away?

8. He says to them that
Moses for your hardness of heart
allowed you to put away your wives:
but from the beginning it was not so.

[1] The reading ὁ κτίσας is original rather than the alternate: ὁ ποιήσας (Cfr. Mk. x, 6). See Knabenbauer, S.J., in Matthæum, vol. ii, p. 137 sq. (Paris, 1893).

9. But I say to you that
Whoever shall put away his wife
unless for fornication (*μὴ ἐπὶ πορνείᾳ*),
and shall marry another (*καὶ γαμήσῃ ἄλλην*)[1]
commits adultery (*μοιχᾶται*),
and he, one put away marrying (*καὶ ὁ ἀπολελυμένην γαμήσας*),
commits adultery (*μοιχᾶται*).
10. The disciples say to Him.
If so be the case of the man with the wife,
it is not expedient to marry.
11. But He said to them:
All do not receive this saying,
but they to whom it is given.
12. For there are eunuchs who were so born from their mother's womb;
and there are eunuchs who were made eunuchs by men;
and there are eunuchs who made themselves eunuchs for the kingdom of heaven.
He who can receive [it], let him receive [it].

[1] The text which we have adopted in verse 9 and which underlies our Vulgate: "nisi ob fornicationem, et aliam duxerit, moechatur; et qui dimissam duxerit, moechatur," is undoubtedly genuine. The various readings found in certain ancient authorities and more or less implicitly followed by some modern editors, are due to a more or less complete scribal assimilation to the parallel passage in Mt. v, 32. The omission of the last part: *καὶ ὁ ἀπολελυμένην γαμήσας μοιχᾶται* in particular, has also been explained through omœteleuton (Cfr. H. Alford, *the Greek Testament,* vol. i, 6th edit., p. 194; H. W. A. Meyer, *Critical and Exegetical Handbook to the Gospel of St. Matthew,* Eng. trans., p. 335. New York, Funk & Wagnalls, 1884; Jos. Knabenbauer, S.J., *Comm. in S. Matthæum,* vol. ii, p. 138; W. C. Allen, *A Critical and Exegetical Commentary on the Gospel of St. Matthew,* p. 207. New York, 1907; etc.).

**I. Two Previous General Remarks.** Before examining this long passage, it may not be amiss to premise two general remarks. The first is suggested by the general form of Mt. xix, 3-12. It is obvious that Our Lord's doctrine concerning divorce is therein set forth under the form of direct answers to questions put to Him by His Jewish contemporaries who naturally used terms in harmony with their actual conceptions of divorce, and who received answers intelligible to them only on the basis of the same conceptions. Hence, it readily follows that to ascertain the exact meaning of Mt. xix, 3-12, it is necessary to examine its contents in the full light of the Jewish conceptions of Our Lord's day concerning divorce. The rule just formulated is so manifestly in harmony with the most elementary canons of exegesis, that it must needs be admitted by every unbiased interpreter of the passage under consideration. Our second general remark bears on a fact already alluded to, viz., that both Mt. xix, 3-12, and Mt. v, 31, 32, have one and the same restrictive clause as to fornication. Now, since in our last chapter we have shown that in Mt. v, 31, 32, this restrictive clause does not set forth a ground for divorce, a cause that would allow remarriage after the separation of

husband and wife, it is antecedently probable that in Mt. xix, 3-12, the same clause should not be understood in a different manner.

Of course, this second remark supplies only an antecedent probability which, as such, should not be considered as settling the question at issue. In an exegetical study, like the present, the exact doctrine ascribed to Our Lord in an early document of Christianity must be actually derived from a thorough examination of the text which bodies it forth. And on this account, we now proceed to determine the teaching of Jesus concerning divorce, which is contained in Mt. xix, 3-12, through the strict application to this passage of the obvious rule of exegesis stated in our first general remark.

**II. Christ's Teaching in Mt. xix, 3–6.** The unbiased interpreter of Mt. xix, 3-12, need not proceed very far with his reading of the passage to meet the place where our first Evangelist distinctly sets forth Our Lord's doctrine concerning divorce, that is, according to the universal conception of His Jewish contemporaries, concerning a man's dismissal of his wife that would entail

the severing of the marriage tie.[1] He indeed readily sees that this doctrine is not given in the opening verse:

Mt. xix, 3.

> And Pharisees approached Him
> tempting Him and saying:
> Is it lawful to put away one's wife for every cause?

which manifestly relates, not words of Jesus, but a question of His opponents anxious to betray Him into a public answer regarding divorce, with which they may find fault. But he no less readily recognizes a record of Christ's own teaching regarding that ethical question, in the very next verses of the passage:

Mt. xix.

> 4. But He answering said: Have you not read that
> the Creator from the beginning
> made them male and female? 5. and said:
> On account of this a man shall leave his father and
> his mother,
> and shall cleave to his wife,
> and the two shall become one flesh?
> 6. so that they are no longer two, but one flesh.
> What therefore God has joined together,
> let not man put asunder.

[1] According to Jewish legists of Our Lord's day, only the man had the right of repudiation (Cfr. Josephus, *Antiq. of the Jews*, Book xv, chap. vii, 10; Book xviii, chap. v, 4), and his giving of the bill of divorce severed the marriage tie as effectively as death itself (Cfr. Talmud, treatise *Qiddushin*, chap. i).

His first, and indeed most natural, impression in reading attentively these verses is that taken in their obvious sense they ascribe to Jesus an absolute denial of the lawfulness of divorce, that is, of a putting away that would sever the marriage tie; and the more closely he examines their contents in the light of the Jewish conceptions of the time, the more distinctly he realizes that, to any and every unprejudiced mind, this must needs be their actual sense. The first text of the Law (Gen. i, 27) which Our Lord quotes for His adversaries, was a strong argument against them, in favor of the indissolubility of the marriage tie:

Mt. xix, 4.

> But He answering said: Have you not read that the Creator from the beginning made them male and female?

By these words, Christ recalls to His opponents the fact that the union between husband and wife is not of human origin, that a man should presume to break it. Its origin goes back to the " Creator," whose actual mind " from the beginning " concerning divorce is plain from the manner of union which he established between the first human pair. The clause, " He made them male and female," was understood in Our Lord's time as meaning, " He made them *one* male and

*one* female "; [1] and it is manifestly adduced by Jesus as proving that the Creator produced a single human pair because he willed its parties to be indissolubly united to each other by the conjugal tie: the first man and the first woman could indeed lawfully be joined to each other in marriage in virtue of their physical constitution, but they could not lawfully be so joined to any other after separation, since no other human being yet existed. Plainly then, in making as he did the first human pair, God did not allow divorce.

To this first text Jesus adds another, taken also from the Mosaic Law (Gen. ii, 24). It is an appeal to God's very words as settling for all future ages the indissoluble union which a man must admit to exist between him and his wife through the marriage intercourse:

Mt. xix.

5. *And said:*

On account of this a man shall leave his father and his mother,
and shall cleave to his wife,
and the two shall become one flesh;

[1] Cfr. Talmud, treatise *Yebamoth,* chap. vi, 6. French trans. by M. Schwab, vol. vii, p. 92 sqq. In point of fact, the Hebrew text of Genesis i, 27, should be strictly rendered, "a male and a female he created them," for זכר and נקבה are not collective, and Gen. v, 1 sqq. shows that the writer meant only one pair (Cfr. Dillmann, *Genesis,* Engl. trans., vol. i, p. 84, Edinburg, 1897).

to which He subjoins at once His own inference from the text just quoted:

Mt. xix, 6a.

so that they are no longer two, but one flesh.

This second text is, of course, meant by Our Lord to confirm powerfully the indissoluble nature of the marriage tie, which He has urged upon His adversaries by means of His first Mosaic quotation: what the Creator really meant in establishing the conjugal union described in Gen. i, 27, he has himself explicitly set forth in Gen. ii, 24: *"And said: On account of this,"* etc. At the same time, it is plainly adduced as forming a new argument in Mt. xix, 4-6:[1] even though Christ's opponents should remain unconvinced by His foregoing reason against the lawfulness of divorce drawn from God's purpose in making the first human pair, yet, they should admit the validity of another argument drawn this time from the very words of God which Jesus now quotes for them:

[1] The chief reason for considering these two texts of Genesis as meant to be distinct arguments in Mt. xix, 3–6, is drawn from the fact that these texts are separated by the clause καὶ εἶπεν "and said" (Mt. xix, 5), which is not found in St. Mark's parallel passage (Mk. x, 6 sqq.).

Mt. xix.

5. *And said:*
On account of this a man shall leave his father and his mother
and shall cleave to his wife,
and the two shall become one flesh.

It must be manifest to them that it is God's distinct will that a man shall ever look upon the union entailed by marriage intercourse as more intimate and more sacred than even that close union which God also has established between a child and the authors of his life:

Mt. xix.

5. And said:
On account of this a man shall leave his father and his mother,
and shall cleave to his wife.

It must be evident to all present that it is God's explicit will that a man shall always consider the consummation of marriage as actually making of him and of his wife only one principle of physical life:

Mt. xix, 5d.

and the two shall become one flesh.

Whence Christ's immediate, and obviously ready, inference: after the consummation of marriage husband and wife have, by God's decree, ceased to be one man and one woman able to unite them-

selves in lawful wedlock to whom they would; they are now husband and wife; they belong together and form one indivisible principle of human life:

Mt. xix, 6a.

so that they are no longer two, but one flesh.

It is thus plain to the careful interpreter, that Jesus adduces here these two several texts of the Law, as two unquestionable proofs of the unlawfulness of the putting away of one's wife that would sever the marriage tie: such putting away goes against God's undoubted purpose in creating the first human pair (Gen. i, 27); it goes also, and more particularly, against God's ever-binding command that a man should regard as indissoluble the tie entailed between him and his wife, by the consummation of marriage (Gen. ii, 24). Christ's mind is manifestly set against the lawfulness of divorce; He wants his hearers to realize the grounds for His position; and finally, to exclude every possibility of a doubt as to His exact mind, He adds of His own accord the conclusion which most necessarily follows from His arguments:

Mt. xix.

6b. What therefore God has joined together,
6c. let not man put asunder.

In the eyes of His hearers Our Lord's opposition to divorce was as evident and as absolute as human speech could make it: according to God's primitive and unchangeable will there is no such thing as a lawful divorce. The putting away of one's wife after marriage intercourse, for the purpose of severing the marriage tie thus formed, is decidedly unlawful, because it is contrary to the manner of union intended by God from the beginning, and manifestly enforced by Him in a decree which all present must recognize as an ever-binding command.

**III. Mt. xix, 3–6, in the Light of Mt. v, 31, 32.**

Such then, undoubtedly, is the plain meaning of the words which our first Evangelist places on Christ's lips in Mt. xix, 4-6. In recording them, therefore, he must have realized that he was thereby ascribing to Jesus an emphatic denial of the lawfulness of divorce; all the more so because in an earlier passage:

Mt. v.

31. It was said also:
Whoever shall put away his wife,
let him give her a bill of divorce.

32. But I say to you that
Everyone putting away his wife
except because of fornication
makes her commit adultery,
and whoever marries one put away,
commits adultery;

he had already represented his Master as holding the same doctrine and as vindicating it from opposition to the Mosaic Law. In point of fact, it is because he had distinctly in view this earlier passage of his, that our first Synoptist has placed in Mt. xix, 3-6:

Mt. xix.

3. And Pharisees approached Him
tempting Him and saying:
Is it lawful to put away one's wife
for every cause?
4. But He answering said: Have you not read that
the Creator from the beginning
made them male and female? 5. *And said:*
On account of this a man shall leave his father and
his mother,
and shall cleave to his wife,
and the two shall become one flesh?
6. so that they are no longer two, but one flesh.
What therefore God has joined together,
let not man put asunder;

Our Lord's answer to His opponents, in its actual preceding context.

As it can readily be seen, this preceding context is made up of two several elements. The first consists in a captious question put to Jesus by "Pharisees" and related by the Evangelist in the following manner:

Mt. xix, 3.

And Pharisees approached Him
tempting Him and saying:
Is it lawful to put away one's wife for every cause?

The second element is St. Matthew's own formula of introduction of Our Lord's words as an answer to that very question:

Mt. xix.

4. *But He answering said:* Have you not read that
the Creator from the beginning
made them male and female. . . .

Of these two elements, the latter affords us direct access to St. Matthew's personal frame of mind at the precise moment he was contemplating the introduction of the words of Christ which we have examined. At that very moment, he distinctly viewed those words as Christ's *own* answer, "*He* answering said" (ὁ ἀποκριθεὶς εἶπεν), and as an answer of His *in opposition* to the captious question of Christ's adversaries: "*But* He answering said" (ὁ δὲ ἀποκριθεὶς εἶπεν).

Having thus realized the Evangelist's exact frame of mind in wording the second element of the context which precedes immediately the words of Jesus in Mt. xix, 4-6, the careful interpreter proceeds to examine in its light the other element of that context, viz., the ensnaring question related by the same Evangelist in Mt. xix, 3:

> And Pharisees approached Him
> tempting Him and saying:
> Is it lawful to put away one's wife for every cause?

As he knows, the wording of this captious question is oftentimes explained independently of Our Lord's earlier answer in Mt. v, 31, 32. It is supposed that its clause, " for every cause," bespeaks a direct reference to a controversy of St. Matthew's time between the disciples of Hillel and those of Shammai: while the former maintained the lawfulness of divorce for any cause,[1] the latter admitted it for the sole cause of the wife's unfaithfulness. In view of this reference, the question: " Is it lawful to put away one's wife for every cause? " would be an attempt on the part of Christ's adversaries to betray Him into a public " declaration in favor of *one* of the rival schools of the day (and it would doubtless

[1] Cfr. Talmud, *Gittin*, ix, 10, (11); *Sota*, i, 1.

be that of Shammai, for with the clause, 'for every cause,' they suggested the answer *No*), so that they might be able to stir up party feeling against Him." [1]

As the interpreter readily sees, this view of the question in Mt. xix, 3, "Is it lawful to put away one's wife for every cause?" goes against the well-ascertained intention of St. Matthew of presenting Our Lord's words as an answer in opposition to the mind of His adversaries: "*But He* answering said: Have you not read," etc. What our first Evangelist represents Jesus as denying is not the lawfulness of putting away for every cause, which was maintained by the school of Hillel in opposition to the lawfulness of putting away for only one cause which was affirmed by that of Shammai, but the lawfulness of putting away upon which both schools agreed, viz., the lawfulness of putting away *that would sever the marriage tie,* since on the basis of two passages of the Law contrary to the dissolubility of the conjugal union, St. Matthew makes Christ emphatically and unequivocally declare:

> What therefore God has joined together,
> let not man put asunder.

[1] H. A. Meyer, *on St. Matthew,* p. 337 (Engl. trans., New York, 1884).

The exegete is thus led to reject this view of the captious question, " Is it lawful to put away one's wife for every cause? " as evidently opposed to St. Matthew's mind in the passage under consideration. He is also led to adopt another which admits that Mt. xix, 3:

> And Pharisees approached Him
> tempting Him and saying:
> Is it lawful to put away one's wife for every cause?

is indeed worded in our first Gospel with reference to a controversy of St. Matthew's time, but which regards that controversy as no other than the one contemplated in St. Matthew's earlier passage concerning the lawfulness of divorce:

Mt. v.

31. It was said also:
Whoever shall put away his wife
let him give her a bill of divorce.
32. But I say to you that
Everyone putting away his wife
except because of fornication
makes her commit adultery,
and whoever shall marry one put away,
commits adultery.

The controversy referred to in this earlier passage of St. Matthew was, of course, of much greater importance in the eyes of our first Evan-

gelist than that which existed between the rival schools of Hillel and Shammai. It was part and parcel of the general controversy, capital in St. Matthew's eyes, as to whether Jesus, through going deliberately against traditional interpretations of the Mosaic Law and demanding a higher righteousness than that of the Scribes and "Pharisees" which was secured, as these opponents of Christ thought, by a strict compliance with their traditional sayings, really went against the written Law itself, or on the contrary fulfilled it to its "yod" or "tittle." (Cfr. Mt. v, 17-20.) It bore directly on the rival interpretations of the Deuteronomic decree (Deut. xxiv, 1-4) concerning divorce, that of Christ's opponents (Mt. v, 31) and that of Christ (Mt. v, 32), respectively. In virtue of the traditional interpretation, the righteousness of the Law was fully secured by a strict compliance with the saying of the Elders:

> Whoever shall put away his wife
> let him give her a bill of divorce.

The higher righteousness required of His disciples by Jesus can only be secured by a strict compliance with a different interpretation of the Deuteronomic decree, viz., the one expressly set forth by Jesus:

32. But I say to you that
Everyone putting away his wife
except because of fornication
makes her commit adultery,
and whoever shall marry one put away,
commits adultery;

as fulfilling that decree to its " yod " or " tittle," despite the charge of destroying the Law urged against Him for His rejection of the traditional saying. It was a higher righteousness, and it was required for getting admittance into the kingdom of heaven, because prescribed by the written Law of God.

In view of these data, the interpreter of Mt. xix, 3, 6, that is, of a passage of the same Evangelist, can easily realize that the " tempting " question of Pharisees: " Is it lawful to put away one's wife for every cause?" is worded with a direct reference to the controversy in Mt. v, 31, 32. At this late stage in the evangelical narrative, " Pharisees " are well known as staunch upholders of everything traditional, as constantly on the trail of Jesus for the purpose most important in their eyes of charging Him with infractions of the righteousness of the Law because He repeatedly made light of the traditions of the Elders (Cfr. Mt. xii, 2, 3; xv, 1, 2; Mk. vii, 9-13; etc.), and it is manifestly in this, their

habitual frame of mind, that St. Matthew contemplates them approaching Christ and "tempting" Him. Our first Evangelist naturally thinks of them as perfectly sure that divorce—that is to say, the putting away of one's wife so as to sever the marriage tie—is lawful for every cause: their traditional rule, which he has previously recorded (Mt. v, 31) declares it so,[1] and

[1] The following are the principal reasons for regarding this as the traditional interpretation of Deut. xxiv, 1–4, among the Jews of St. Matthew's time: (1) the official expounders of this passage of the Law solemnly proclaimed in the synagogues of that day, as the *only thing required* by Moses from a man who wants to put away his wife, that he shall give her a bill of divorce (Cfr. the discussion of Mt. v, 31, in the foregoing chapter); (2) such authorized Jewish expositors of the Mosaic Law as Philo (about 20 B.C–50 A.D.) and Josephus (about 37–100 A.D.) in setting forth for their Gentile readers the contents of Deut. xxiv, 1–4, manifestly record the traditional interpretation of that passage, and they use for that purpose expressions practically identical with the clause "for every cause," as we understand it, in Mt. xix, 3. The former, a prominent Alexandrian Jew, says: "If, proceeds the lawgiver, a woman having been divorced from her husband *under any pretence whatever,* and having married another, has again become a widow, whether her second husband is alive or dead, still she must not return to her former husband, but may be united to any man in the world rather than to him . . . " (*Of Special Laws, against Adultery,* etc.; chap. v, Engl. transl., by C. D. Yonge, vol. iii, p. 310 sq.) The latter, a celebrated Palestinian priest and *Pharisee,* writes: "He who desires to be divorced from his wife *for any cause whatever* (and many such causes happen among men), let him in writing give utterance that he will never use her as his wife any more . . . " (*Antiquities of the Jews,* Book iv, chap. viii, 23); (3) it is quite certain that in St. Matthew's time, both the Jewish teachers and their hearers, acting manifestly on the traditional interpretation of Deut. xxiv, 1–4, practised divorce for any cause (Cfr. Josephus, *Life,* 75, 76; A. Edersheim, the *Life and Times of Jesus the Messiah,* vol. ii, p. 332, note 5).

in the eyes of traditionalistic " Pharisees " there is no doubt that whoever acts on this traditional rule secures the righteousness of the Law. He no less naturally contemplates them approaching Jesus with a definite reason for thinking that He is opposed to this traditional lawfulness, since they pointedly ask Him if He admits it: " Is it lawful to put away one's wife for every cause? " He is fully aware that their inquiry is prompted by a hostile motive, by the purpose of eliciting a negative answer in manifest opposition to the traditional interpretation of the Mosaic decree (Deut. xxiv, 1-4), which they may charge at once with destroying the Mosaic Law, however Jesus may contend that His words fulfil it. To the mind of our first Evangelist, the definite reason for which " Pharisees " consider Our Lord as opposed to the traditional lawfulness of divorce, and which leads them to put Him a " tempting " question bearing manifestly on the full righteousness affirmed by their traditional rule, cannot be doubtful. It is clear to St. Matthew that Christ's opponents are aware of His declaration as he has previously recorded it: [1]

[1] That in writing Mt. xix, 3–12, our first Synoptist had actually in mind his earlier representation of Christ's doctrine concerning divorce in Mt. v, 31–32, is proved by the fact that in both these passages he deliberately placed on Our Lord's lips characteristic expressions which show the manifest dependence of the later on the earlier passage: (Footnote continued at bottom of page 206.)

Mt. v.

31. It was said also:
Whoever shall put away his wife
let him give her a bill of divorce.
32. But I say to you that
Everyone putting away his wife
except because of fornication
makes her commit adultery,
and whoever shall marry one put away,
commits adultery.

Their "tempting" question implies that they have construed the earlier saying of his Master (Mt. v, 32), exactly as he has presented it himself. In their eyes it is an interpretation of the Mosaic text, which treats as forbidden the severing of the marriage tie to the full extent in which this severing is proclaimed as lawful by the traditional saying (Mt. v, 31): the cause of fornication spoken of in Deut. xxiv, 1, is expressly given in Jesus' own saying as the only one making it lawful to put away one's wife, and this only one cause does not make it lawful to put her away so as to sever the marriage tie, since

| Mt. v, 32. | Mt. xix, 9. |
|---|---|
| But I say to you that | But I say to you that |
| Everyone putting away his wife | Whoever shall put away his wife |
| except because of fornication . . . | unless for fornication . . . |
| and whoever shall marry one put away, | and he, one put away marrying, |
| commits adultery. | commits adultery. |

His same saying *absolutely* declares: "*Whoever* shall marry one put away, *commits adultery.*" [1] They now ask Jesus: "Is it lawful to put away one's wife for every cause?" in distinct view of His former total denial of the lawfulness of putting away one's wife so as to sever the marriage tie. They expect in return a reaffirmation of this denial, and are prepared to treat such direct rejection of the traditional lawfulness of divorce for every cause, as a most certain rejection of the righteousness of the Law, despite Christ's assertion of fulfilling that Law by His requirement of a higher righteousness.

Whoever then understands, in the manner just described, the "tempting" question of "Pharisees": "Is it lawful to put away one's wife for every cause?" can readily see that he takes it in a sense most consonant to the actual circumstances of St. Matthew's time and frame of mind. He can readily see, also, how our first Synoptist could most fittingly treat Our Lord's immediate answer to the question of His adversaries, as a direct reply to it:

[1] This absolute character of the concluding clause: "Whoever shall marry one put away, commits adultery," has been distinctly perceived by the Protestant commentator, B. Weiss, who says on Mt. v, 32: "Von einem Ehescheidungsgrunde ist nicht die Rede (in Christ's saying), wie der bedingungslose Parallelsatz zeigt" (*Die vier Evangelien*, 2te Auflage, Leipsig, 1905; p. 86). See also Amram, *the Jewish Law of Divorce*, p. 84 (London, 1897).

Mt. xix.

4. *But He answering said:* Have you not *read* that
the Creator from the beginning
made them male and female? 5. and said:
On account of this a man shall leave his father and
his mother,
and shall cleave to his wife,
and the two shall become one flesh?
6. so that they are no longer two, but one flesh.
What therefore God has joined together,
let not man put asunder.

In the eyes of our first Evangelist, "Pharisees" have confronted Jesus with the lawfulness of divorce which they consider as certain in virtue of their traditional interpretation of the Mosaic Law concerning it, and Jesus appeals here, as was His wont,[1] from a traditional interpretation to the very text of the Law: "But He answering said: *Have you not read . . .*," as a manifest proof of His harmony with the Law itself. To His mind, Christ feels called upon to recall to His adversaries that His requirement of a higher righteousness than theirs with regard to the union which must exist between husband and wife, is based on two several texts of the Divine Law. Our first Synoptist knows that the question: "Is it lawful to put away one's wife

[1] Cfr. Mt. xii, 2, 3; xv, 4, 5; Mk. vii, 9–13.

for every cause?" assumes the perfect lawfulness of severing the marriage tie for every cause, and Jesus, as he readily sees, appeals to two texts of the Law, which rule out this lawfulness altogether: such lawfulness was in no way allowed by the "Creator," who "from the beginning" produced a single human pair: "made them male and female" (Gen. i, 27), and is forever excluded by God's very words, "and said," decreeing that the marriage relation once consummated makes of husband and wife one unbreakable unit: "On account of this, a man shall leave his father and his mother, and shall cleave to his wife, and the two shall become one flesh" (Gen. ii, 24).[1] Finally, the traditional saying which in the eyes of "Pharisees" was an absolute authorization of severing the marriage tie for every cause, appears to St. Matthew as directly met by the no less absolute rejection of

[1] When C. G. Montefiore (*the Synoptic Gospels,* London, 1909, vol. ii, p. 688) writes: "Of course, the implication which Jesus finds in the words of Genesis is not really to be found there," he makes a biased assertion. Another Jewish writer, M. Mielziner (*the Jewish Law of Marriage and Divorce;* New York, 1901, p. 115), rightly says: "The ethical principle of marriage is certainly against a dissolution. This principle demands that those who enter into the conjugal covenant should regard it as a relation permanent as their own lives. The very words of Scripture, in speaking of the original institution of marriage—"Man shall cleave to his wife, and they shall be two in one flesh" (Gen. ii, 24)—intimate that marriage shall be an indissoluble union."

the lawfulness of severing the marriage tie for any cause: "What therefore God has joined together, let not man put asunder."

The foregoing examination of the text of Mt. xix, 3-6, discloses therefore two things to the mind of its careful interpreter: (1) that taken in themselves, Our Lord's words in Mt. xix, 4-6, set forth His explicit and absolute rejection of the putting away of one's wife so as to sever the marriage tie; and (2) that considered in their immediately preceding context, these same words of Christ are viewed by St. Matthew as a renewed denial of the traditional lawfulness of divorce, so formulated by his Master as to vindicate His former requirement of a higher righteousness than that of His opponents, by showing that this requirement is enjoined by the written Law of God.

# CHAPTER VIII

## CHRIST'S TEACHING CONCERNING DIVORCE IN SECOND PART OF MT. XIX, 3–12

"Unless for fornication"

THE examination of the first part of Mt. 3-12, which we pursued in our last chapter, has allowed us to ascertain the fact that "Pharisees" approached Our Lord in order to controvert the accuracy of His former declaration concerning divorce as it is recorded in Mt. v, 31, 32:

Mt. v.

31. It was said also:
Whoever shall put away his wife
let him give her a bill of divorce.
32. But I say to you that
Everyone putting away his wife
except because of fornication
makes her commit adultery,
and whoever shall marry one put away,
commits adultery.

As we have seen, these opponents of Christ were aware of His contention to fulfil the text of the Mosaic decree concerning divorce (Deut. xxiv,

1-4) to its "yod" or "tittle," although He required for admittance into the kingdom of heaven a righteousness higher than the one secured by a man's compliance with the traditional rule of the Elders:

Mt. v, 31.

31. It was said also:
Whoever shall put away his wife
let him give her a bill of divorce.

In the interval between the Sermon on the Mount (Mt. v) and their present interview with Jesus (Mt. xix), they had examined His declaration in Mt. v, 32, in the full light of that contention of His, and they now thought themselves able to disprove it.

**I. Second Question of Pharisees: Mt. xix, 7.**

The careful interpreter of Mt. xix, 3-12, who bears this in mind, will find it comparatively easy to realize the exact import of the second part of that passage. This second part opens with a second question of "Pharisees":

Mt. xix, 7.

Why then did Moses command to give a bill of divorce
and to put away?

Christ's opponents manifestly refer Him to the Mosaic decree concerning divorce contained in Deut. xxiv, 1-4:

Deut. xxiv.

1. When a man taketh a wife and marrieth her, and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency, that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,

2. and she departeth out of his house, and goeth and becometh another man's [wife],

3. and the latter man hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house; or if the latter man, who took her as his wife, die;

4. her former husband who put her away is not allowed to take her again to be his wife, after that she is defiled, for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance.

Guided by their tradition, they assume that Moses' decree has for its purpose to declare it lawful for a man to practise divorce, under the sole condition to give a bill of divorce when dismissing his wife. And it is against such purpose that they think Jesus goes by His total rejection of divorce, as is proved by the distinct point of their objection: "*Why* then did Moses com-

mand to give a bill of divorce and to put away?" [1] Now, the exact manner in which "Pharisees" had been led thus to formulate their objection can yet be realized by the careful interpreter of Mt. xix, 3-12, who views this passage exactly as St. Matthew does, viz., as an attempt on the part of Christ's opponents to disprove Jesus' contention to fulfil the text of the Law, while demanding a righteousness higher than the one enjoined by their traditional saying.

That a declaration of Jesus might rightly be claimed by Him to fulfil the text of the Law, while requiring a righteousness higher than the one enforced by certain traditional sayings, was undoubted to all in Israel. Similar declarations were repeatedly made by Rabbis, and had to be allowed as correct, because they obviously did not destroy the precept of the Law construed in agreement with the lawgiver's purpose. On account of this "Pharisees" could not deny, for instance, that Christ's declaration as recorded in Mt. v, 27, 28:

[1] The Hebrew perfects נתן and שלח are coupled in the original text of Deut. xxiv, 1, with the prefix ו and hence were treated by Jewish exegetes as imperfects of command, so that the Mosaic decree was rendered by them: "then let him give into her hand (the bill of divorce) and let him put her out of his house" (Talmud, *Gittin,* ix, 10 [11]).—Thus the text of Moses was made to express a *command* to give a bill of divorce and to put away.

Mt. v.

27. You have heard that it was said:
Thou shalt not commit adultery.
28. But I say to you that
Everyone looking on a woman to lust after her,
has already committed adultery with her in his heart;

was rightly claimed by Him to fulfil the text of the Law, although it requires a higher righteousness than the one demanded by the traditional saying, "Thou shalt not commit adultery," to which it is opposed. The precept of the Law was in this case evidently interpreted in a manner consistent with the purpose of Moses to prohibit adultery, and therefore the text of the Law could be considered as fulfilled by being made to forbid not only lustful actions, but also lustful desires expressly forbidden by the Divine Law: "Thou shalt not covet thy neighbor's wife" (Deut. v, 21; Cfr. Rom. vii, 7). But, it seemed certain to Our Lord's opponents that Jesus' former declaration:

Mt. v, 32.

But I say to you that
every one putting away his wife
except because of fornication
makes her commit adultery,
and whoever shall marry one put away,
commits adultery;

could not rightly be claimed by Him to fulfil to its "yod" or "tittle" the text of Deut. xxiv, 1-4, while demanding a righteousness higher than the one enforced by the opposite traditional saying:

Mt. v, 31.

> It was said also:
> Whoever shall put away his wife,
> let him give her a bill of divorce;

for the simple reason that Christ's declaration interprets Moses' command to give a bill of divorce and to put away, in a manner which destroys the lawgiver's purpose.[1] According to them, this command of Moses evinces manifestly the purpose of Israel's lawgiver to allow remarriage after a lawful dismissal of one's wife, since it is a bill of *divorce* which is enjoined; and to allow it for whatever cause (whether for fornication or not) that document might be given,—since it is the *giving* of a bill of divorce, and nothing more, which is required by "Moses' command

[1] It is worthy of notice that of all the antitheses given by St. Matthew (chap. v) to illustrate how Jesus fulfils the Law, although He demands a righteousness higher than that of the Scribes and Pharisees, the antithesis in Mt. v, 31, 32, is the only one to which "Pharisees" might be tempted to object on the score that Our Lord's declaration construed the text of Moses in opposition to the purpose of the lawgiver's precept.

to give a bill of divorce and to put away." According to them, too, Christ's former declaration (Mt. v, 32) evinces no less manifestly His intention to do away with this assumed purpose of Moses in commanding to give a bill of divorce before putting away one's wife. Had Jesus intended in that declaration to construe the text of the Law concerning divorce (Deut. xxiv, 1-4), in agreement with the traditional purpose of its framer, He would have worded His interpretation of it in strict accordance with that purpose. The clause: "*Every one* putting away his wife *except because of fornication,*" which sets forth that only the man who has the cause of fornication against his wife may lawfully dismiss her, would have run thus: "*Whoever* shall put away his wife *with the cause of fornication or not,*" since the putting away of one's wife is made lawful by Moses to *any one* and for *any cause,* by the simple giving of a bill of divorce. Again, as the giving of that document makes lawful remarriage after dismissal, instead of saying: "*Whoever* shall marry one put away, *commits adultery,*" Jesus would have negatived the guilt of adultery with regard to both the dismissing husband who shall marry another woman after the lawful dismissal of his wife, and the man who

shall marry one put away. His declaration would necessarily have run as follows:

> "Whoever shall put away his wife
> with the cause of fornication or not
> and shall marry another
> does not commit adultery,
> and he who shall marry one put away
> does not commit adultery."

But, as a fact, Christ's declaration sets forth the opposite of this. It specifies the cause of fornication as the only one which, in Deut. xxiv, 1, makes it lawful for a man to dismiss his wife ("except because of fornication"), and it treats the lawful dismissal for this only one cause as leaving intact the marriage tie ("whoever shall marry one put away, commits adultery"). In the eyes of "Pharisees," therefore, such interpretation of the Mosaic decree stood in direct opposition to the lawfulness of divorce for every cause which, according to Jewish tradition, it was Moses' purpose to proclaim when framing his "command to give a bill of divorce and to put away." Hence, it was plain to them that if they could only induce Jesus to commit Himself again to the same total rejection of the lawfulness of divorce as is set forth in His former declaration (Mt. v, 32), they would have a

chance to urge against Him the fateful objection: "Why then did Moses command to give a bill of divorce and to put away?" By their tempting first question: "Is it lawful to put away one's wife for every cause?" (Mt. xix, 3), they secured from His lips a renewed denial of the full extent of that traditional lawfulness, and they forthwith replied:

Mt. xix, 7.

*Why* then did Moses command to give a bill of divorce
and to put away?

Thus viewed in the distinct light of the controversy recorded in Mt. v, 31, 32—that is, of a controversy contemplated by Our Lord's adversaries, as we saw in our foregoing chapter—this second question of "Pharisees" discloses to the careful interpreter of Mt. xix, 3-12, the precise object of these opponents of Christ. They ask Him: "Why then did Moses command to give a bill of divorce and to put away?" not because they have the least doubt concerning the exact purpose of that precept, or concerning the righteousness of the conduct of the man who carries it out as it is formulated by the traditional saying:

Mt. v, 31.

It was said also:
Whoever shall put away his wife,
let him give her a bill of divorce.

Their precise object is to urge against Jesus, that His demand for a higher righteousness than the one required by this traditional rule, instead of fulfilling the text of Moses to its "yod" or "tittle,' destroys the command of Israel's lawgiver to give a bill of divorce and to put away, when this command is interpreted in agreement with the purpose which Moses had manifestly intended when issuing it to Israel.

**II. Christ's Answer in Mt. xix, 8, 9.** At this point, two things are clear to the unbiased interpreter of Mt. xix, 3-12. It is clear to him, on the one hand, that if Moses has prescribed the giving of a bill of divorce before putting away one's wife, for the purpose ascribed to him by Jewish traditionalists, it is all over with Jesus' total rejection of the lawfulness of divorce as fulfilling the Deuteronomic text; His demand for a higher righteousness when confronted with that traditional purpose of Israel's lawgiver must be rejected, because it destroys the text of Moses' command by doing away with its purpose. It is

clear to the same interpreter, on the other hand, that if Moses had for his purpose in issuing his decree concerning divorce, to discountenance the Jewish practice of divorce, which he regarded as a moral evil, Jesus' renewed total rejection of the lawfulness of divorce stands; it may be vindicated as justly requiring a righteousness higher than the one enforced by the traditional saying of His opponents, and may be claimed to fulfil exactly the Mosaic text construed in the light of its true purpose. With this distinctly in mind, the impartial interpreter of Mt. xix, 3-12, proceeds to examine Our Lord's answer to "Pharisees," which is recorded in the next two verses:

Mt. xix.

8. He says to them that
Moses for your hardness of heart
allowed you to put away your wives:
but from the beginning it was not so.
9. But I say to you that
Whoever shall put away his wife
unless for fornication
and shall marry another
commits adultery,
and he, one put away marrying,
commits adultery;

and he is not long before realizing that of the two suppositions just made, the latter is manifestly

the one in harmony with the natural meaning of Christ's words.

As he can readily see, the opening words of this answer bespeak Jesus' immediate concern to reject the purpose which His opponents regard as undoubtedly that of Moses' command to give a bill of divorce and to put away. Scarcely have they finished their objection:

Mt. xix.

7. Why then did Moses command to give a bill of divorce
and to put away?

when He points out the true purpose of Moses in framing his decree concerning divorce:

Mt. xix, 8.

He says to them that
Moses for your hardness of heart
allowed you to put away your wives.

As the interpreter can also readily see, these words of Christ bid "Pharisees" to admit for Moses' decree, the purpose of discountenancing the practice of divorce, which Israel's lawgiver regarded as morally wrong. Jesus grants that Moses, legislating in full view of the practice of divorce among the Jews of his time, did not abolish it, as was indeed clear from the fact that

he had required a bill of divorce from the man who was determined to put away his wife. But He emphatically and most rightfully assigns to the writer of the Deuteronomic decree:

Deut. xxiv.

1. When a man taketh a wife and marrieth her, and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency, that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,

2. and she departeth out of his house, and goeth and becometh another man's [wife],

3. and the latter man hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house; or if the latter man, who took her as his wife, die;

4. her former husband who put her away is not allowed to take her again to be his wife, after that she is defiled, for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance;

a deterring purpose lost sight of by traditionalistic "Pharisees." Of its very nature, the requiring of a bill of divorce was a curtailment of a man's freedom in getting rid of an unwelcome wife. Besides, Moses had manifestly meant to make the giving of that document particularly

onerous on the dismissing husband, in saying that such one should *write* the bill of divorce, *deliver* it into the hand of his repudiated wife, and then, only, put her away. Again, Moses' deterring purpose in framing his decree was shown by the fact that he warned expressly the man who was bent on sending away his wife, to bear in mind that once she is supplied with this written proof of her regular and absolute dismissal, the wife may henceforth refuse to go back to him, and indeed will not be free to return in the eventuality of a consummated union with another man. Jewish tradition notwithstanding, Israel's lawgiver had not been prompted to require a bill of divorce, by the desire of supplying the Jews with a simple and safe means lawfully to sever the marriage tie, since dismissal for the cause of fornication and with a bill of divorce leaves the marriage tie intact in the eyes of Moses, who expressly qualifies as adulterous ("after that she is defiled") the subsequent remarriage of which he speaks. Moses had really been actuated to legislate concerning divorce by the purpose of discountenancing its practice as far as this lay in his power. He was so opposed to this "abomination before Yahweh," that he stopped only short of its abolition,

restricting its practice to the case of a husband who has the cause of unfaithfulness against his wife. He was well aware that, owing to the low moral temper of his people, all pleadings for mercy would not prevail over the resentment of any Jew in such case. He had therefore allowed the Jews " for the hardness of their heart, to put away their wives," and his permission was no approval of its practice, but the barest toleration of what, in framing his decree, he had treated as a necessary evil. All this " Pharisees " could easily realize when they were told by Jesus:

Mt. xix, 8.

> Moses for your hardness of heart
> allowed you to put away your wives.

They were thoroughly familiar with all the particulars of Moses' decree concerning divorce, to which Christ could appeal to vindicate the true purpose of Israel's lawgiver in wording as he had done, his enactment in Deut. xxiv, 1-4. Besides, they were doubtless acquainted with the provisions of their *oral* law concerning the man who had made a vow to divorce his wife and appealed to the Court for the purpose of having the bill of divorce prepared. It was the urgent duty of the judges to expostulate with that man,

to point out to him all the evil consequences of his intended divorce, and to absolve him from his vow as soon as they had succeeded in securing an expression of regret for having made it.[1] It was therefore plain to Christ's opponents that Moses had never intended by his decree to declare lawful remarriage after dismissal by a simple bill of divorce. It was the opposite that was the truth. Thence, they could readily infer that Jesus' total rejection of the lawfulness of divorce was a just demand for a righteousness higher than the one enforced by their traditional rule. And, indeed, Our Lord's additional words:

Mt. xix, 8.

but from the beginning it was not so;

were manifestly meant by Him to compel them to draw this inference from the true purpose of Moses' decree. The righteousness required by God's Law:

Mt. xix.

4. Have you not read that
the Creator from the beginning
made them male and female? 5. And said:
On account of this, a man shall leave his father and his mother,
and shall cleave to his wife,
and the two shall become one flesh?

[1] Cfr. Talmud, treatise "*Nedarim*," ix, 9.

was one which never allowed the severing of the marriage tie after the consummated union of husband and wife, as Jesus had distinctly proclaimed, saying:

Mt. xix, 6.

> What therefore God has joined together,
> let not man put asunder.

It was a righteousness immutably decreed by the Creator, and which manifestly could not be superseded by Moses' later decree concerning divorce. In fact, Moses had not framed that decree for the purpose ascribed to him by Jewish tradition, viz., to make it lawful for a man to treat the marriage tie as severed after a dismissal of his wife by means of a bill of divorce given for any cause. The Deuteronomic lawgiver had intended to enforce again the primitive righteousness willed by the Author of Nature and Revelation; but he had felt powerless to root out the inveterate evil of divorce, owing to the low moral temper of his race:

Mt. xix, 8.

> Moses for your hardness of heart,
> allowed you to put away your wives:
> but from the beginning it was not so.

The natural meaning of these words of Jesus is thus evident to the careful interpreter of Mt. xix, 3-12. In uttering them Christ forcibly vindicates His total rejection of the lawfulness of divorce as a divinely-required righteousness, which, although contrary to the one enforced by the traditional saying of the Elders, is in harmony with the text of Moses' decree concerning divorce, when this decree is construed in strict accordance with the true purpose of Israel's lawgiver. If Jesus' words were understood at all by His opponents, "Pharisees" hearing them must have felt that the decree in Deut. xxiv, 1-4, was really construed in direct opposition to its framer's purpose, when it was interpreted by Jewish tradition as allowing remarriage after dismissal by means of a bill of divorce, whether that dismissal had taken place for the cause of fornication or not. They must have felt that their traditional saying:

Mt. v, 31.

> Whoever shall put away his wife
> let him give her a bill of divorce;

sets forth a wrong interpretation of the Deuteronomic decree construed in agreement with the real purpose of Moses. They must have real-

ized that their own covert contention that the opposite declaration of Jesus:

Mt. v, 32.

But I say to you that
Everyone putting away his wife
except because of fornication
makes her commit adultery,
and whoever shall marry one put away,
commits adultery;

should have run, as they had figured out, in the following manner:

"Whoever shall put away his wife
for fornication or not
and shall marry another
does not commit adultery,
and the man who shall marry one put away
does not commit adultery;"

was likewise wrong. And it is the falsity of this implied contention of theirs, which they must necessarily recognize as proclaimed by Jesus when He authoritatively completes His answer to their objection, by the following words:

Mt. xix, 9.

But I say to you that
Whoever shall put away his wife
unless for fornication
and shall marry another
commits adultery,
and he, one put away marrying,
commits adultery.

"Pharisees" can not help realizing the exact meaning of these concluding words of Christ, as terminating His vindication of the absolute unlawfulness of divorce. Their opening question had been prompted by the desire of betraying Him into that total rejection of divorce, which they knew to be contained in His former declaration:

Mt. v, 32.

> But I say to you that
> Everyone putting away his wife
> except because of fornication
> makes her commit adultery,
> and whoever shall marry one put away,
> commits adultery.

His renewed and emphatic denial of the lawfulness of treating the marriage tie as severed:

Mt. xix, 6.

> What therefore God has joined together
> let not man put asunder;

had given them the chance they had longed for, to urge against Him that the higher righteousness which He claimed to fulfil the text of Moses (Deut. xxiv, 1-4) to its "yod" or "tittle," destroyed Moses' command construed in strict agreement with the purpose of Israel's lawgiver. And in His answer thereupon, Jesus told them

that since they were mistaken concerning the true purpose of Moses' decree, He had the right to insist that His former declaration (Mt. v, 32), was one which could be shown to fulfil Moses' text to its "yod" or "tittle." As well as they, He knew how that declaration was to be modified to bring it into harmony with the purpose ascribed to Moses by the traditional saying:

Mt. v, 31.

Whoever shall put away his wife
let him give her a bill of divorce.

He knew that to be correct in their eyes His former declaration had to be made to run as follows:

"Whoever shall put away his wife
for fornication or not
and shall marry another
does not commit adultery,
and the man who shall marry one put away,
does not commit adultery."

But in virtue of His proof (Mt. xix, 8), that Moses had for his real purpose one in direct opposition to the purpose which "Pharisees" assumed as correct in their objection, Jesus had to make His former declaration run to the very opposite effect, and to declare to His adversaries:

Mt. xix.

9. But I say to you that
Whoever shall put away his wife
unless for fornication
and shall marry another
commits adultery,
and he, one put away marrying,
commits adultery.

Moses had tolerated divorce, it is true. But the plain wording of his decree showed that his purpose was to discountenance its practice in Israel; that he had required the cause of fornication for the dismissal of one's wife, and that this cause made indeed lawful a separation of husband and wife, but not the remarriage of either party concerned.

**III. Principal Difficulties Disposed of.** That this is the natural meaning of Our Lord's answer to His opponents in Mt. xix, 8, 9, is therefore clear in the light of the whole preceding context, to the careful examiner of Mt. xix, 3-12. He knows, indeed, that many Protestant interpreters maintain that in Mt. xix, 9, Jesus allowed divorce for the sole cause of fornication. But he can not help regarding such view as decidedly false. This view is manifestly contrary to

Christ's fully-ascertained intention to reject divorce absolutely as prohibited by God's will in two texts of Genesis (i, 27; ii, 24), an intention expressly declared in Mt. xix, 6:

> What therefore God has joined together
> let not man put asunder;

and reasserted by the words, "But from the beginning it was not so," which conclude Our Lord's proof that Moses in his decree tolerated the practice of divorce in Israel, solely because of the hardness of the Jewish heart (Mt. xix, 8). To admit such view, then, would be to admit that St. Matthew represents Christ as inconsistent with Himself, as at first rejecting divorce because absolutely opposed to God's will, and as next declaring it lawful for one cause, that of fornication.[1]

The same careful interpreter of Mt. xix, 3-12, knows likewise that attempts have been made to remove such inconsistency from St. Matthew's passage in two several directions. The first attempt is that of several Protestant scholars

[1] Strangely enough, this supposed inconsistency of St. Matthew's representation of Jesus' controversy with "Pharisees" in Mt. xix, 3–12, is admitted by as careful a commentator as W. C. Allen (*on St. Matthew*, p. 201 sq. New York, 1907.)

who maintain that at the beginning of the controversy (Mt. xix, 3) Jesus was asked to pronounce Himself between the schools of Shammai and Hillel, between admitting divorce for only one cause and admitting it for any cause, and that He pronounced Himself in favor of the lawfulness of divorce for only one cause, the clause, "unless for fornication," in Mt. xix, 9, setting forth "the *unica* and *adæquata exceptio* to the law against divorce, because adultery destroys what, according to its original institution by God, constitutes the very essence of marriage, the *unitas carnis*." [1] But this attempt at showing Our Lord's consistency in His controversy with "Pharisees," while admitting that He allowed divorce for the sole cause of adultery, can not be regarded as successful by the impartial examiner of Mt. xix, 3-12. As he has already seen in studying this passage of our first Gospel, what Jesus was asked by "Pharisees" when they put their "tempting" first question:

Mt. xix, 3.

Is it lawful to put away one's wife
for every cause?

[1] H. A. W. Meyer, "*Critical and Exegetical Handbook to the Gospel of St. Matthew*, trans., p. 339 (Funk & Wagnalls, New York, 1884).

was, not if He admitted the lawfulness of divorce for only one cause or for any cause, as this was discussed by the schools of Shammai and Hillel, but if He admitted the lawfulness of divorce at all. To think with these Protestant critics, that this question was worded in direct view of the controversy between the disciples of Shammai and those of Hillel, is to make Our Lord return to His questioners an answer which was not to the point,[1] inasmuch as He emphatically declares that, on the basis of two texts of the Law, the lawfulness of divorce must be absolutely rejected:

Mt. xix, 6.

> What therefore God has joined together
> let not man put asunder.

And yet this answer was, according to St. Matthew, truly to the point, since he expressly gives it as an answer of Jesus in direct opposition to the question of Christ's adversaries: "*But* He *answering,* said . . . " (Mt. xix, 4). Thence, it is clear to the examiner of Mt. xix, 3-12, that the assumption of those Protestant critics is contrary to the well-ascertained fact that Jesus had not

[1] This is distinctly, but wrongly, admitted by A. Loisy, "*les Evangiles Synoptiques,*" vol. ii, p. 200 (Ceffonds, 1908).

to pronounce Himself about the lawfulness of divorce for only one cause or for several causes. Undoubtedly, then, their view that Jesus pronounced Himself in Mt. xix, 9, in favor of the lawfulness of divorce for only one cause, viz., that of adultery, rests on a false assumption. Besides, whoever examines attentively Christ's final pronouncement:

Mt. xix, 9.

> Whoever shall put away his wife
> unless for fornication
> and shall marry another
> commits adultery,
> and he, one put away marrying,
> commits adultery;

can easily realize that these words of Christ contain a positive rejection of the lawfulness of divorce for any cause. This pronouncement affirms *absolutely* that " he, *one put away* marrying, commits adultery," an affirmation which can not be rightly construed otherwise than as declaring that *no* dismissed wife can remarry without incurring the guilt of adultery together with the man who marries her; as declaring, therefore, that in no case of dismissal—the cause be what it may—the marriage tie may lawfully be treated

as severed.[1] Finally, as is well said by a Protestant writer: "The doctrine that adultery of itself and in its own nature is a virtual dissolution of the bond of marriage is not authorized by a just exposition of the Scriptures: it is opposed to the received law and practice of the courts, and it involves the most fearful consequences and the most striking inconsistency. It precludes the possibility of reconciliation; it renders repentance unavailing and forgiveness impracticable: it takes away all distinction between the boldness which triumphs in vice, and the returning sense of propriety which would make every atonement for the offence; between the exasperated spirit which spurns the offender and hurries to its revenge, and the compassionate forbearance which in remembrance of former affection waits

[1] It is true that several textual critics reject the last part of Mt. xix, 9 ("and he, one put away marrying, commits adultery"), regarding it as an assimilation to Mt. v, 32. But Meyer (loc. cit., p. 335) rightly says that there is preponderating evidence in favor of the genuineness of these last words of Christ's answer to His opponents, as the omœteleuton might easily enough be the occasion of their omission. Their presence in Tatian's Diatessaron is a particularly strong argument in favor of that genuineness. Besides, their supposed later insertion in Mt. xix, 9, could not be accounted for by an assimilation, because of the differences in wording noticeable between Mt. xix, 9, and Mt. v, 32. We have seen, also, that a thorough examination of Our Lord's answer (Mt. xix, 8, 9) to "Pharisees," requires the genuineness of these words of Jesus, in view of the exact meaning of the second question of His opponents.

in patient hope for the effects of penitence and contrition. If the bond of marriage is broken by the adulterous act, there are no means by which it can be renewed or repaired; nor any principle upon which the continued intercourse of the parties can be justified or approved. It would convey to either party a power, and offer a temptation, to dissolve a union which may be disagreeable; and to seek an engagement which promises more happiness, by an act of sin; and allow the guilty to take advantage of his own wrong: and if a restriction should be placed upon the criminal party, for which, if the bond of marriage is dissolved by the offence, there is no pretext, it would leave the same obligation in force upon the one party and not upon the other; it would take from the guilty the very name of marriage, and give to the innocent a license of bigamy." [1]

The second attempt at removing a supposed inconsistency on Our Lord's part in Mt. xix, 3-12, is indeed more drastic, but no less false than the one just disproved. A few Catholic and Protestant scholars have imagined that the words, " unless for fornication," in Mt. xix, 9,

[1] H. D. Morgan, *" The Doctrine and Law of Marriage, Adultery, and Divorce,"* vol. ii, p. 19 sq. (Oxford, 1826).

are a later interpolation, an addition due to assimilation with the parallel clause, "except because of fornication," in Mt. v, 32, and allowing divorce for that one cause in the mind of the one who introduced those words into St. Matthew's primitive text. According to such scholars, Christ's final pronouncement originally read in Mt. xix, 9:

> Whoever shall put away his wife
> and shall marry another
> commits adultery,
> and he, one put away marrying,
> commits adultery;

and rejected the lawfulness of divorce as explicitly by these words, as in His preceding answer:

> "What God has joined together
> let not man put asunder."

But this view tampers as wrongly as uselessly with the text of St. Matthew, the primitive reading of which was undoubtedly:

Mt. xix, 9.

> Whoever shall put away his wife
> *unless for fornication*
> and shall marry another
> commits adultery,
> and he, one put away marrying,
> commits adultery.

The textual emendation which is suggested by these scholars is justly rejected by all prominent textual critics (Tischendorf, Westcott and Hort, B. Weiss, Nestle, etc.), for it has only in its favor the omission of the words, μὴ ἐπὶ πορνείᾳ, by Tertullian (who renders freely the passage of St. Matthew), Athenagoras, and possibly Clement of Alexandria. And the careful examiner of Mt. xix, 3-12, knows full well that the presence of the clause, "unless for fornication," in Mt. xix, 9, is required by the whole drift of Christ's controversy with "Pharisees" in Mt. xix, 3-12, and in no way makes Our Lord affirm the lawfulness of divorce for the cause of fornication.

All objections to the contrary notwithstanding, the second part of Mt. xix, 3-12, which contains the words, "unless for fornication," ascribes to Jesus the same total rejection of the lawfulness of remarriage after separation, as has ever been proclaimed by the traditional teaching of the Roman Catholic Church.

# CHAPTER IX

## CHRIST'S TEACHING CONCERNING DIVORCE IN THIRD PART OF MT. XIX, 3–12

### Celibacy, a State Preferable to Marriage

**1. The Disciples' Remark in Mt. xix, 10.** FROM the foregoing examination of the first two parts of Mt. xix, 3-12, it is evident to the careful interpreter of this passage of our first Gospel that, in virtue of the whole preceding context, Our Lord's final answer to His adversaries (Mt. xix, 9) must not be taken as allowing divorce for the cause of adultery. In view of this the same interpreter naturally expects that this conclusion of his will also be in distinct harmony with the immediately following context. And, in point of fact, the more closely he examines the remark of Christ's disciples in the very next verse:

Mt. xix.

10. The disciples say to Him:
If so be the case of the man with the wife
it is not expedient to marry;

the more clearly he sees that this is actually so. Obviously, this remark does not read like that of men who have understood their Master to declare that remarriage is allowed for only one cause. Such declaration had been made by Shammai, and the followers of that illustrious Rabbi submitted to his view, without the difficulty which these words disclose on the part of Christ's disciples. Besides, it would surely be unreasonable for Jesus' disciples to say that "it is not expedient to marry," unless a man has the power of unlimited divorce. Their words manifestly imply a comparison between two states of life, lawfully open to man; that of celibacy and that of marriage. To their mind celibacy has indeed its inherent trials and difficulties, but is, after all, an easier state than that of marriage with its additional burdens and responsibilities declared lifelong by Jesus. The disciples' practical instinct, characteristic of their race, makes them therefore exclaim:

Mt. xix, 10.

> If so be the case of a man with the wife
> it is not expedient to marry.

They argue that if Christ's doctrine concerning divorce were to hold good, marriage would be a burden better left alone. This they do, plainly

because they have understood their Master to rule out the lawfulness of marriage after dismissal even for the cause of fornication. Whence, it is clear to the impartial interpreter of Mt. xix, 3-12, that the meaning which he has ascribed to Jesus' final pronouncement concerning divorce in Mt. xix, 9, is one which could readily be, and was in fact, understood by those present at Our Lord's controversy with His Pharisaic opponents. Whence, also, it is clear to him that our first Evangelist by recording this remark of the disciples in direct connection with Christ's final pronouncement concerning divorce, "The disciples say to Him" (Mt. xix, 10a), regarded the words of the disciples as appropriately directed by them against the total rejection of the lawfulness of divorce by their Master which they suppose. In view, then, of the immediately following, as well as of the whole preceding, context, it is undoubted to the careful examiner of Mt. xix, 3-12, that Jesus is represented, in this passage of our first Gospel, as condemning under the penalty of adultery the remarriage of both husband and wife, subsequent to their separation after the consummation of marriage, that is to say, as holding the same doctrine as the Roman Catholic Church down to the present day.

**II. Christ's Answer in Mt. xix, 11, 12.** But, in the passage now under consideration, there is not only an immediately, but also a remotely, following context, by means of which the interpreter of Mt. xix, 3-12, may test his admission of Christ's total rejection of the lawfulness of divorce. This remote following context is made up of the last two verses in the present section of our first Gospel:

Mt. xix.

11. But He said to them:
All do not receive this saying,
but they to whom it is given.

12. For there are eunuchs who were so born from their mother's womb;
and there are eunuchs who were made eunuchs by men;
and there are eunuchs who made themselves eunuchs for the kingdom of heaven.
He who can receive [it], let him receive [it].

It behooves all the more the interpreter of Mt. 3-12, to examine carefully these last two verses, because they are manifestly presented by St. Matthew as an answer of Jesus to His disciples' remark, "But *He said to them,*" and as an answer in opposition to that remark, "*But* He said to them." The question which naturally sug-

gests itself to the interpreter's mind is this: Does the opposition of Jesus' answer, which is denoted by the Evangelist's introductory words, "*But* He said to them," bear on something affirmed indeed by the disciples, but the rejection of which by Jesus, instead of destroying, confirms their understanding of His doctrine concerning divorce?

With this distinctly in mind, the interpreter of Mt. xiv, 3-12, can readily see that the opposition contemplated by St. Matthew in xix, 11-12, refers directly and solely to the low views of the disciples when pronouncing celibacy preferable to the marriage state. They have been prompted to say to Jesus:

Mt. xix, 10.

> If so be the case of a man with the wife
> it is not expedient to marry;

on account of selfish considerations. Viewed from the standpoint of a man's personal comfort, freedom of additional cares and responsibilities, indissoluble marriage appears to them a burden heavier than celibacy. In His reply Jesus accepts the remark of the disciples, but gives it a new and higher meaning. It *is* better not to marry at all, but not for the sordid reason of convenience admitted by the disciples. The "saying" which

not all comprehend so as to act upon it,[1] is that contained in the interjection of those same disciples: viz., οὐ συμφέρει γαμῆσαι, "it is better not marry," "it is not expedient to marry." Those only comprehend "this saying" as it ought to be admitted, who are enlightened from above and act upon higher motives:[1]

Mt. xix, 11.

All do not receive this saying,
but they to whom it is given.

To embrace celibacy out of regard for oneself would not be any more meritorious than is the necessary abstention from marriage on the part of physical eunuchs born so, or made such in later life:[2]

Mt. xix, 12.

For there are eunuchs who were so born from their mother's womb;
and there are eunuchs who were made eunuchs by men.

To embrace celibacy in a meritorious manner, one must give up altogether the married state, lawfully open to him though it be, "for the kingdom of heaven":

[1] Cfr. Knabenbauer, S.J., "*In Matthæum,*" vol. ii, p. 146 (Paris, 1893).

[2] The same two classes of physical eunuchs are mentioned in the Talmud, treatise "*Yebamoth,*" viii, 4.

> and there are eunuchs who made themselves eunuchs for the kingdom of heaven;

to advance God's kingdom on earth, to attend more freely to heavenly things, etc.[1] Thus freely to establish an insuperable barrier to the married state for the sake of the kingdom of heaven will always appeal effectively to the mind and will of only a few in the world; yet it is to embrace a state higher than that of marriage, and this is why Jesus concludes His answer to the disciples by the significant words:

> He who can receive [it], let him receive [it].

It is, therefore, clear to the interpreter of Christ's answer to the disciples, recorded in Mt. xix, 11, 12, that the opposition contemplated by St. Matthew is one which leaves perfectly intact their understanding of Our Lord's foregoing answer to "Pharisees," as condemning all remarriage after dismissal, under the penalty of adultery. And yet, it is no less clear to the same interpreter that had the disciples misunderstood

[1] The idea of cohabitation being excluded for a time by religious exercises was found among the Jews (Exod. xix, 15; I Kings [Samuel] xxi, 4), and the example of John the Baptist and of Jesus Himself was well known to the disciples, so that the same disciples could easily understand what Christ meant when He declared, "and there are eunuchs who made themselves eunuchs for the kingdom of heaven."

their Master's declaration concerning divorce, the opposition to their remark, which should be found set forth on Jesus' lips in Mt. xix, 11, 12, is that the disciples had wrongly thought Him to reject the lawfulness of divorce for every cause. The true doctrine concerning divorce was of paramount importance in the eyes of Christ and of our first Evangelist. Since then, the words of Jesus do not find fault with the view which the disciples have taken of His doctrine, it is evident that it is because their apprehension of His total rejection of the lawfulness of divorce is absolutely correct.

**III. General Conclusions from Mt. xix, 3–12.** The following are the principal conclusions suggested by the examination of the second passage of our first Gospel, which sets forth Our Lord's doctrine concerning divorce. This second passage, in St. Matthew's mind, distinctly points back to the discussion between Jesus and "Pharisees," in his earlier passage (Mt. v, 31-32). In both these passages our first Synoptic writer regards Christ as charged by His opponents with destroying the text of the Deuteronomic decree, because He proclaims a higher righteousness than the one secured by a man's compliance with

the traditional saying of the Elders (Mt. v, 31). In the second passage (Mt. xix, 3-12) the charge is again preferred against Jesus with a view to disprove the correctness of His former interpretation of the Mosaic Law, embodied in His declaration in Mt. v, 32: this former declaration of His does not admit the lawfulness of remarriage after dismissal even for the cause of fornication; how then can it fulfil the text of Moses which allows divorce "for every cause?" In the second passage, this same total rejection of the lawfulness of divorce for any cause is maintained, and is, indeed, more emphatically declared as a Divine requirement:

Mt. xix, 6.

> What God has joined together
> let not man put asunder.

In the second passage, the condemnation of remarriage after dismissal is made more explicit by Christ's distinct assertion that both the dismissing husband who attempts a second marriage, and the man who marries one put away, commit adultery. In the latter passage, finally, the clause, "unless for fornication," is not given as a ground for divorce, for this would be contrary to the whole drift of the Evangelist's account

of Our Lord's discussion with " Pharisees " concerning divorce; it would be contrary not only to the entire preceding, but also to the entire following, context. It is evident, therefore, to the interpreter, that when this second passage of St. Matthew's Gospel is impartially and thoroughly examined, it is found to ascribe to Jesus the very same total rejection of divorce as is set forth in the other passages of the New Testament, and as is affirmed by the Roman Catholic Church down to the present day.

The following *Appendices* are subjoined as subsidiary studies to the examination of Our Lord's Teaching concerning divorce. The first Appendix shows that St. Matthew's second passage (Mt. xix, 3-12) is in thorough harmony with the parallel passage of our second Evangelist (Mk. x, 2-12). The second Appendix proves that Moses' decree in Deuteronomy xxiv, 1-4, is to be understood as it is actually interpreted by Jesus, over against the Jewish interpretation of the same.

# APPENDIX I

## HARMONY OF MT. XIX, 3–12, WITH MK. X, 2–12

As STATED at the end of the preceding chapter, this first Appendix has for its object to show the thorough harmony in which Mt. xix, 3-12, taken in its ordinary and unaltered form, stands with the parallel passage in our second Gospel (Mk. x, 2-12). Such harmony can easily be realized with regard to the opening verse in these respective passages of our first two Gospels:

| Mt. xix, 3. | Mk. x, 2. |
|---|---|
| And Pharisees approached Him | And Pharisees having approached |
| tempting Him and saying: | asked Him: |
| Is it lawful to put away one's wife | Is it lawful for a man to put away a wife? |
| for every cause? | tempting Him. |

Although the wording of St. Matthew runs more smoothly, on account of its inversion of the words " tempting Him," than that of St. Mark, it is plain that St. Matthew's opening verse coin-

cides exactly in thought with St. Mark's parallel opening verse. In both evangelical records Jesus is approached by "Pharisees." In both, these opponents of Christ are aware that He has already declared Himself against the traditional lawfulness of divorce, and they wish to betray Him into a new public declaration of its rejection, with which they may find fault. This traditional lawfulness is, of course, to the effect that, according to the Mosaic decree, a man may put away his wife for every cause, so as to sever the marriage tie, and their question in St. Matthew simply states more explicitly what the same "tempting" question in St. Mark leaves to understand on the part of traditionalistic "Pharisees."

The remainder of the parallel passages in St. Matthew's and St. Mark's records presents indeed more numerous and considerable inversions and variations:

| Mt. xix. | Mk. x. |
|---|---|
| 4. But He answering said: Have you not read that | 3. But He answering, said to them: What did Moses command you? |
| the Creator from the beginning | 4. But they said: Moses allowed to write |
| made them male and | |

female? 5. and said:
On account of this a man shall leave his father and his mother,
and shall cleave to his wife,
and the two shall become one flesh;
6. So that they are no longer two, but one flesh.
What therefore God has joined together,
let not man put asunder.
7. They say to Him:
Why then did Moses command to give a bill of divorce
and to put away?
8. He says to them that Moses for your hardness of heart
allowed you to put away your wives:
but from the beginning it was not so.
9. But I say to you that Whoever shall put away his wife
unless for fornication

a bill of divorce
and to put away.
5. But Jesus said to them:
For your hardness of heart
he wrote you this commandment.
6. But from the beginning of creation,
male and female he made them.
7. On account of this a man shall leave his father and mother,
and shall cleave to his wife,
8. and the two shall become one flesh;
so that they are no longer two, but one flesh.
9. What therefore God has joined together,
let not man put asunder.
10. And in the house again the disciples asked Him
concerning this.
11. And He says to them:
Whoever shall put away his wife

and shall marry another
commits adultery,
and he, one put away marrying,
commits adultery.

10. The disciples say to Him:
If so be the case of the man with the wife
it is not expedient to marry; etc.

and shall marry another,
commits adultery against her;

12. and if she, having put away her husband,
shall marry another,
commits adultery.

Yet, all such inversions and variations are found, when closely examined, to leave intact the harmony between the two Evangelists.

It can readily be seen that St. Matthew's account has the same component elements as appear in St. Mark's record. In both Gospels Jesus answers the question of "Pharisees" by a question; in both, the same passages of the written Law are appealed to by Our Lord, and exactly the same inference as to the absolute unlawfulness of divorce is drawn by Jesus: "What therefore God has joined together let not man put asunder" (Mt. xix, 4-6; Mk. x, 6-9); in both again, the same purpose of Moses in framing his decree concerning divorce ("For your hardness of heart"), is affirmed against the ad-

verse contention of "Pharisees" (Mt. xix, 8; Mk. x, 5); in both, likewise, the same penalty of adultery is directed against remarriage after dismissal (Mt. xix, 9; Mk. x, 11); and, in both, the disciples receive from their Master an answer confirmatory of the manner in which they have understood His pronouncement to "Pharisees" against divorce (Mt. xix, 10-12; Mk. x, 10-12).

It is true, indeed, that several of these contents common to St. Matthew and St. Mark appear in a different order and with variations in presentation; for all that, however, they are given by both Evangelists in a deep harmony which can still be pointed out. At first sight, the question put on Our Lord's lips by St. Matthew ("Have you not read," etc.) appears very different from the one recorded by St. Mark ("What did Moses command you?"). Yet, on a closer inspection, it is easy to see that in spite of the actual difference in the words they ascribe to Christ, both Evangelists agree in their representation of His frame of mind, when replying to His opponents' question by a question; in both records the words of Jesus show that He knows the exact object of the "tempting" question of His inquirers (the object of setting Him at variance with the text of Moses' decree as understood by Jewish tradi-

tion), and that He wishes to meet this point directly, only after the same inquirers have come into the open. Moreover, the passages of Genesis (i, 27; ii, 24), given immediately by St. Matthew (xix, 4, 5), and only later by St. Mark (x, 6-8), are precisely used to the same purpose: in both the evangelical records these passages are adduced by Jesus for the purpose of proving that when He requires a higher righteousness than that which is admitted by " Pharisees " in virtue of the traditional interpretation of the Mosaic decree concerning divorce, He is simply proclaiming the divinely-required righteousness of the written Law itself.

It is plain to any one, that the clause, " And said," which is peculiar to St. Matthew (xix, 5), simply presents explicitly what the quotation of the second text of Genesis by St. Mark (x, 7) contains implicitly: in this second passage of Genesis there is a direct expression of God's will that, after the consummation of marriage, husband and wife shall form an unbreakable unit. Again, the question of " Pharisees " in Mt. xix, 7: " Why then did Moses command to give a bill of divorce and to put away?" is in actual harmony with their words in Mk. x, 4: " Moses allowed to give a bill of divorce and to put away."

According to " Pharisees," the man's action is lawful (" allowed ") only because the dismissing husband complies with a " command " of Moses to supply his wife with a bill of divorce (Cfr. Mk. x, 5: " he wrote you this *commandment* "). Besides, the declaration in Mt. xix, 7: " *Why then* did Moses command to give a bill of divorce and to put away?" states only more explicitly the opposition which Christ's adversaries conceive of in Mk. x, 4, between Our Lord's rejection of the lawfulness of divorce and the purpose of Moses in framing a decree which, as they think, makes it lawful to give a bill of divorce and to put away: " *But* they said: Moses allowed to write a bill of divorce and to put away." That this is undoubtedly the manner in which St. Mark conceives of these words of " Pharisees " is proved by the fact that he, like St. Matthew (xix, 8), makes Jesus assign to Moses the purpose of tolerating divorce for the hardness of the Jewish heart, in direct connection with the mention of the Mosaic requirement of a bill of divorce (Mk. x, 5, 4; Mt. xix, 8, 7). As regards the additional words in Mt. xix, 8: " But from the beginning it was not so," they are evidently a clause which in St. Matthew's eyes corresponds in contents and emphasis to the Marcan clause: " *But* from the beginning

of creation," etc. (Mk. x, 6), which stands in our second Gospel as a part of Christ's answer to the same Pharisaic contention as in our first Gospel, viz., that Moses has made it lawful by his decree to divorce one's wife by his requirement of a bill of divorce (Cfr. Mt. xix, 7; Mk. x, 4): it is affirmed in both records, that Moses' decree can not have superseded the Divine Law which Jesus knows is recorded in Genesis.

The last differences disclosed by a comparison of Mt. xix, 3-12, with Mk. x, 2-12, are connected with their respective concluding verses:

| Mt. xix. | Mk. x. |
|---|---|
| 9. But I say to *you* that<br>Whoever shall put away his wife<br>unless for fornication<br>and shall marry another<br>commits adultery,<br>*and he, one put away marrying,*<br>*commits adultery.* | 10. And in the house again the *disciples* asked Him<br>concerning this.<br>11. And He says to *them:*<br>Whoever shall put away his wife<br>and shall marry another,<br>commits adultery against her;<br>12. *And if she, having put away a husband,*<br>*shall marry another,*<br>*commits adultery.* |
| 10. The disciples say to Him:<br>If so be the case of the man with the wife,<br>it is not expedient to marry. | |

Mt. xix.

11. But He said to them:
All do not receive this saying,
but they to whom it is given.
12. For there are eunuchs who were so born from their mother's womb;
and there are eunuchs who were made eunuchs by men;
and there are eunuchs who made themselves eunuchs for the kingdom of heaven.
He who can receive [it], let him receive [it].

Briefly stated, these differences are as follows: Christ's declaration about the guilt of adultery entailed by remarriage after separation, is said by St. Matthew to be addressed to the *Pharisees:* "But I say to *you*" (Mt. xix, 9), by St. Mark, to the *disciples* (Mk. x, 10, 11). In St. Matthew, the clause, "unless for fornication," is inserted, and the last part of Our Lord's declaration reads: "And he, one put away marrying, commits adultery," while in St. Mark we find, "And if she, having put away a husband, shall marry another, commits adultery." St. Matthew's remark to the *disciples* concerning celibacy as preferable to the married state, when it is embraced for motives of faith and under the impulse of grace, is not found in St. Mark's parallel passage (Mk. x, 2-12). However considerable these differences may

appear, they do not in any way interfere with the thorough historical harmony which we have so far found to exist between Mt. xix, 3-12, and Mk. 2-12.

This will easily appear to be the case with the first of these differences to one who notices that in St. Mark (x, 10) the *disciples* are represented as asking Jesus " concerning this." The disciples are concerned about their Master's immediately foregoing answer to " Pharisees," and this answer, as one can easily see in reading over Mk. x, 4-8, was a vindication of Christ's absolute rejection of divorce in the light of the true purpose of Moses in framing his Deuteronomic decree. Now, this is exactly what is explicitly intended by Mt. xix, 9, as we established in our discussion of Mt. xix, 3-12. Hence, St. Matthew fully agrees with St. Mark, when in Mt. xix, 9, he represents Our Lord as directing to " Pharisees " a condemnation of divorce which St. Mark explicitly says to have been made *again* in private (*" in the house again ":* Mk. x, 10) to *" the disciples."* When St. Matthew inserts the clause, " unless for fornication," in the condemnation of divorce repeated in private to the disciples, he knows full well that he is not inserting a ground for divorce, so that he remains in distinct har-

mony with Mk. x, 11, where this clause is not given. When in St. Matthew (xix, 9) we read: " And he, one put away marrying, commits adultery," it is plain that our first Evangelist states explicitly what St. Mark gives implicitly when he declares: " And if she, having put away a husband, shall marry another, commits adultery"; for St. Mark, by declaring directly the wife's remarriage after dismissal to be adulterous, manifestly implies that the man who unites himself to her shares in her guilt of adultery. It is true, finally, that St. Matthew (xix, 10-12) records a declaration of Jesus concerning the superiority of celibacy over the married state, which is not found in St. Mark's parallel passage; but in doing so, our first Synoptist gives a confirmation of the manner in which Christ's disciples have understood their Master's absolute rejection of divorce, which is implied by St. Mark in x, 10-12.

Thus then, a careful comparison of Mt. xix, 3-12, with Mk. x, 2-12, proves that despite the assertions of several Protestant interpreters to the contrary, these two passages are, from beginning to end, in a thorough historical harmony.

# APPENDIX II

## EXACT MEANING OF THE MOSAIC DECREE CONCERNING DIVORCE

THE practice of divorce among the Jews has always claimed for its legal foundation the classical text of Deut. xxiv:

1. When a man taketh a wife and marrieth her (ובעלה), and it cometh to pass, if she find no favor in his eyes, because he hath found in her some indecency (ערות דבר), that he writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house,
2. and she departeth out of his house, and goeth and becometh another man's (האיש אחר),
3. and the latter man (האיש) hateth her and writeth her a bill of divorce, and delivereth [it] into her hand, and putteth her out of his house, or if the latter man (האיש) who took her as his wife die;
4. her former husband (בעלה) who put her away is not allowed to take her again to be his wife, after that she is defiled (הטמאה) for this is an abomination before Yahweh, and thou shalt not cause to sin the land which Yahweh, thy God, giveth thee [as] an inheritance.

Their traditional interpretation of this decree is to the effect that Moses left it to a man's will to repudiate his wife. The husband's action is made lawful, not by the cause for which he secures and gives a bill of divorce, but by the very fact that he delivers that document to his wife. He has thereby signified his irrevocable intention to sever the marriage tie, and in virtue of this act no adultery can taint remarriage after dismissal. In Christ's time this was the sense of Moses' decree, which was defended by the school of Hillel, and officially proclaimed in the synagogues as the undoubted meaning of Israel's lawgiver, because handed down by the tradition of the Elders:

**Mt. v, 31.**

It was said also:
Whoever shall put away his wife
let him give her a bill of divorce.

So construed, the words of Moses supplied the Jews with a convenient and, as they thought, a safe means of severing the marriage tie; they also left the wife's fate at the mercy of the man, and treated as lawful hasty and groundless divorces.[1] The bill of divorce was regarded as a mere for-

[1] According to the Jewish lawyer Amram, "the practice of hasty and groundless divorce was allowed by the Law." (*The Jewish Law of Divorce,*" p. 31, London, 1897.)

mality;[1] and the law of Moses, the decree of a divinely-inspired lawgiver, was turned into one of the loosest divorce laws ever promulgated. Evidently, this was not an explanation of the true sense of the Mosaic Law; but one of those numerous Pharisaic perversions of it, which, because of Jewish tradition, "made void the commandment of God" (Cfr. Mt. xv, 3, 6). And it was high time, that Jesus should come and authoritatively proclaim in the name of the Divine righteousness the sacredness of the marriage tie, and call attention to the fact that in his Deuteronomic decree Moses had qualified as adulterous the remarriage after dismissal, even for the cause of fornication. In so doing, Christ fulfilled the Law to its "yod" or "tittle." He also fulfilled "the Prophets" (Cfr. Mt. v, 17), entering the same protest against Jewish divorces, as had been entered centuries before by the prophet Malachias (ii, 13 sqq.): "You cover the altar of Yahweh with tears, with weeping and with sighing. . . . And you say: For what cause? Because Yahweh hath been witness between thee and the wife of thy youth, whom thou hast despised: yet, she is thy

[1] In this connection Allen pertinently writes: "No Jew would regard Deut. xxiv, 1 sqq., as anything else than a Mosaic command to adopt certain forms in cases of divorce." *On St. Matthew*, p. 204. New York, 1907.)

partner, and the wife of thy covenant. . . . For I hate putting away, says Yahweh, the God of Israel."

And let it be borne in mind, that when Our Lord interpreted as denoting adultery the expression, ערות דבר, "some indecency," literally, "the nakedness of a thing," in Deut. xxiv, 1, His adversaries had really nothing to object to His interpretation. Not only was this the meaning of that expression according to their *oral* law (Cfr. Talmud, *Gittin,* ix, 10), but this was its true meaning in Moses' decree. In this decree there is evidently question of a ground for repudiation as advanced by the man who has consummated marriage with his wife (בעלה), and who says that she does not find favor in his eyes, because he has found in her something on account of which he feels bound to put her away. The reason to which he appeals is naturally the highest that he can testify against her: the undoubted proof of her conjugal unfaithfulness. In such case Israel's lawgiver, as the man knows, can not deny him the practice of divorce, unless he wants to rule it out altogether. And in fact Moses, feeling unable to root out divorce altogether, tolerates its practice in such a case. He describes the putting away by means of a bill of

divorce as followed by the wife's second union with "another man," whom he never calls the בעל, "the husband" of the dismissed wife. He evidently treats the marriage tie as persevering until the consummation of her conjugal intercourse with that "other man," since he speaks of the first man as her "husband" (בעל), and even after that conjugal intercourse has taken place, since he qualifies as adulterous (תועבה), such action on the part of the dismissed wife. In the eyes of Israel's lawgiver nothing can sever the marriage tie before the God of Israel, "for this is an abomination before Yahweh" (Deut. xxiv, 4), words which have an echo in Malachias' declaration: "For I hate putting away, says Yahweh, the God of Israel."

Such is the natural meaning of the words of Moses' decree; and it is in vain that certain Protestant writers assert that the words, "the nakedness of a thing," can not refer to adultery, because adultery was punishable with death according to Levit. xx, 10, and Deut. xxii, 22. In Levit. xx, 10, the death penalty is simply pronounced against the adulterer and the adulteress; in Deut. xxii, 22, the same penalty is declared against the adulterer and the adulteress, and is specified as to be inflicted on the culprits *when*

*they have been found* in the act of committing the crime. The second passage, therefore, explains under what precise circumstances the Mosaic Law, formulated in Levit. xx, 10, is to be applied; so that the death penalty against adultery is to be considered as prescribed by the Law only in the case of the guilty parties being caught in the actual commission of the crime legislated against (Cfr. St. John's episode concerning the woman taken in adultery, viii, 3, 4). In view of this, it is plain that in the Deuteronomic decree (xxiv, 1-4) the words " because he hath found in her *'erwath dabhar* (the nakedness of a thing) may, as indeed they do, refer to adultery. The lawgiver has manifestly in mind, not a wife taken in adultery, but one in whom her husband has found proofs of her conjugal unfaithfulness, " because *he hath found in her* the nakedness of a thing."

# FORM OF A JEWISH BILL OF DIVORCE [1]

The following form of a Jewish bill of divorce is given by the celebrated Spanish Rabbi Maimonides (1135-1204 A.D.). In the twelfth century it was already known as a very ancient form. It is the one in use down to the present day.

"On the.....day of the week, the.....day of the month of.....in the year.....since the creation of the world, the era according to which we are accustomed to reckon in this place, to wit, the town of.....I.....the son of.....(and by whatever other name I or my father may be known, and my town and his town) thus determine, being of sound mind and under no constraint; and I do release and send away and put aside thee.....daughter of.....of the town of.....(and by whatever other name or surname thou and thy father are known, and thy

[1] See specimens of a Jewish bill of divorce in the original Hebrew, in "Jewish Encyclopedia," vol. iv, pp. 624, 625, New York, 1903; and in Amram, "*The Jewish Law of Divorce*," London, 1897.

town and his town), who hast been my wife from time past hitherto; and hereby I do release thee and send thee away and put thee aside that thou mayest have control and power over thyself, from now and hereafter, to go to be married to any man whom thou desirest, and no man shall hinder thee (in my name) from this day forever. And thou art permitted (to be married) to any man. And these present shall be unto thee from me a bill of Divorce, a document of release and a letter of freedom, according to the Law of Moses and Israel."

.....the son of....., a witness.
.....the son of....., a witness.

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# I. INDEX OF SUBJECTS


A

Abomination, 18, 78, 224, 267.
Adultery, 5, 18, 20, 21, 24, 30, 33, 40, 54, 64, 95, 162, etc.
  not a ground for divorce, 31, 40, 179, 206, 218, 232 sq., 243, 249.
  does not dissolve the marriage tie, 5, 237.
  penalty of remarriage, 13, 24, 54, 68, 72, 76, 82, 88, 90 sq., 115, 149, 174, 176, 178, 184, 243, 249.
Alford, H., 146, 187.
Allen, W. C., 187, 233, 265.
Antipas, Herod, 70.
Antithesis, 27 sq., 153 sqq., 159 sq., 163, 216.
Aramaic, 164
Arcanum (Encyclical), 147.
Assimilation, 187, 237.
Athenagoras, 240.

B

Beyschlag, W., 106.
Bill of divorce, 7, 18, 80, 174.
  required by Moses, 17, 30, 34, 36 sq., 50, 54, 56, 165, sq., 169.
Brassac, A., 96.
Brother, i.e., a Christian, 25, 112, 127, 142 sq.
Burkitt, E. C., 70.

C

Catholic, Church, 5, 13, 14, 42, 71, 73, 119, 150, 240, 243, 250.
  doctrine concerning divorce, 13, 64, 71, 93, 150, 180, 185, 240, 243, 250.
  theologians, 6, 147.
Cause, for every, 33 sq., 204, 209, 219, 249, 252.
Celibacy, 41, 241 sq., 245 sq., 259, 261.
Christian marriage, 13, 24, 74, 115, 119.
  copy of Christ's union with the Church, 24, 118.
Christ's rejection of divorce, 18, 34, 39, 52, 59, 63, 92, 101, 106, 149, 179 sq., 184, 191, 195 sq., 207, 209, 218, 240, 249.
  authoritative saying, 28, 62, 155, 206.
  Law regarding marriage, 6, 26.
  union with the Church, 24, 116, 118, 122.

Christ's private declaration to the disciples, 19, 65 sq., 74, 260.
Church, 5, 13, 14, 19, 24, 31, 69.
her doctrine concerning divorce, 13, 31, 42.
Clause, exceptive, 27, 31, 34, 91.
Clement of Alexandria, 240.
Command of the Lord, 14, 22, 97 sqq., 103, 111, 114, 122, 131, 146, 150.
Controversy, 39, 199, 201, 203, 219, 240.
Conversion, 134, 143.
Corinthians, 21, 96 sq., 115.
Cornely, R., 101, 128, 132.
Creator's will regarding marriage, 18, 37, 57, 73, 191 sqq.

D

Decree, of Trent, 5.
of Moses, 16, 50, etc.
Defilement, 18, 30, 134, 173, 178, 184.
Deuteronomy, text of, concerning divorce, 16, 29, 49, etc.
Diatessaron, 237.
Dillmann, A., 192.
Disciples, 19, 33, 40 sq., 44, 65 sqq., 71, 74, 159, 175, 179, 183, 202, 241 sqq., 258 sqq.
Dismissal, forbidden by St. Paul, 22, 25, 112 sq., 132 sqq.
Dissolubility of non-Christian marriage, see *Pauline Privilege.*
Divorce, 5, 19, 31, 35, 39, 41, 46 sq., 53 sqq., 108.
Divorce, rejected by Jesus, 17, 19, 35, 37, 41, 52 sq.
tolerated by Moses, 37, 52, 57 sq., 73, 225.
Driver, S. R., 49, 51.

E

Edersheim, A., 70, 133, 158, 170.
Edwards, T. C., 106.
Elders, 28, 202, 212, 228, 249.
Enslaved, 25, 113, 122, 142, 144.
Ephesians, Epistle to the, 116.
Eunuchs, 33, 41, 187, 244, 246, 259.
Exceptive clause, 27, 31, 34, 87, 179, 185.

F

Flesh, Husband and Wife, one, 32, 52, 57, 59, 81, 118, 122.
Fornication, 27, 31, 35, 39, 88 sqq., 149, 162, etc.

G

Gibson, J. Monro, 151.
Greek words:
ἄγαμος, 22.
ἀπολύειν, 76, 163.
ἀφιέναι, 22, 101, 102.
γεγαμηκόσιν, 22, 99, 126, 129.
δότω, 163, 167.
ἐρρέθη, 155.
ἠκούσατε, 155.
λέγω, 130 sq.
λόγος πορνείας, 31, 181, 185.
λοιποῖς (τοῖς δὲ), 126 sqq.
μοιχεύειν, 76 sq., 85, 187.
παραγγέλλω, 22, 99, 130 sq.
χωρίζειν, 22, 101, 102, 104, 113, 140 sq., 143.
Greenstone, J. H., 56.

H

Hardness of heart, 17, 32, 37, 51 sq., 56 sq., 73, 80, 89, 225, 254.
Harmony of Jesus with Moses, 17, 53, etc.
Hastings, 102.
Hawkins, J. C., 85.
Hebrew terms:
בעל, 172, 267.
טמא, 30, 162, 173, 176, 267.
נתן, 214.
ערות דבר, 167, 174, 184, 266.
שלח, 214.
Herod Antipas, 70.
Herodotus, 102.
Hillel, 51, 160, 199 sq., 202, 234 sq., 264.
Holtzmann, H. J., 92, 180; O., 61.
Holy, 25, 136.
Hummelauer, von, 49.
Husband and Wife, 6, 13, 24, 58, 64, 68, 73, 118, 174, 189, 208 sq., 232, 243.
one flesh, 32, 52, 57, 89, 117, 122, 186, 192, 194 sq., 209, 226.

I

Incontinency, 24, 109.
Indissolubility of Christian marriage, 5, 13, 24, 103 sqq.
Interpretation, Jewish, of Moses' decree, 17, 34, 37, 155, 169, 183, 204, 208, 228, 264.

J

Jacquier, E., 43, 96.
Jesus:
His public discussion with Pharisees, 16.
His private declaration to the Disciples, 19, 65 sqq., 74.
see *Christ; Question;* etc.

K

Keil, K. F., 54, 179.
Knabenbauer, J., 70, 92, 96, 186 sq., 246.

L

Lagrange, M. J., 43, 70.
Law, Mosaic, concerning divorce, 16, 29, etc.
Oral, 158, 225.
perpetuity of the, 79.
Loisy, A., 235.
Lord's command, 22, 97 sqq., 103, 110 sqq., 111, 114, 132, 138, 145 sq., 150.
Luke, St., 19, 78, 85 sq., 91, 151.
his omission of the exceptive clause, 87 sqq.

M

Maimonides, M., 269.
Male and Female, 32, 52, 58, 62, 191, 226.
Mark, St., 15, 21, 43, 48, 60, 62, 91, 151, 252, 255 sq., 259 sqq.
Gospel of, 43, 61, 67, 96, 151, 250.
Marriage, 6, 24, 40, etc.

Marriage, Christian, indissoluble, 24, 146; a copy of Christ's union with the Church, 118, 122.
Married, the, 14, 22, 23, 25 sq., 98 sqq., 103, 109 sqq., 122, 129.
Matthew, St., 6, 21, 30, 38, 83, 86, 91, 162 sq., 198, 200, 204, 255 sq., 259 sqq.
exceptive clause in, 27, 31, 34, 151 sqq.
Menzies, Allan, 46, 55.
Meyer, H. A. W., 100, 102, 151, 187, 200, 234, 237.
Mixed marriage, 26, 125, 127 sq., 132, 134, 137, 140.
Morgan, H. D., 238.
Moses, 16, 17, 35, 38 sq., 46, 48, 50 sqq., 54 sq., 58, 5, 168, 204, 215, 220, etc.
see *Divorce; Decree; Deuteronomy.*
Moulton and Geden, 85.

N

Nestle, E., 240.
New Testament, 5, 15, 26, 31, 33, 42, 102, 149, 185, 250.
New York Review, 6.

O

Omœteleuton, 187, 237.
Oral Law, 158, 225.

P

Parallelism, 101, 126.
Parenthetical remark of St. Paul, 100, 103 sqq.
Paul, St., 21 sq., 24, 26, 96, 100 sq., 104, 109, 116, 127, 130, 141, 144, 146, etc.
Pauline Privilege, 24, 26, 121 sqq., 145.
Peter, St., 43.
Pfleiderer, O., 107.
Pharisees, 16, 20, 28, 33, 36 sq., 39, 45, 47, 51 sqq., 57, 60, 65, 157 sq., 178, 202, 205, 212, 216, 260.
Privilege, Pauline, 24, 26, 100 sq., 141, 145.
Purpose of Moses' decree, according to Pharisees, 35, 216 sqq., 228, 231,
according to Jesus, 37, 39, 222 sqq., 231, 260.
Purves, G. T., 107.

Q

Question, put to Jesus by Pharisees, 16, 35, 37, 45, 65, 198 sqq., 205 sq., 208, 212 sqq., 252, 256.
put to Pharisees by Jesus, 16, 48, 255.

R

Rabbis, 170, 214.
Reconciliation, 56, 237.
Rejection of divorce by Jesus, 17, 19, 21, 35, 37, etc.
Remarriage, 13, 18, 24, 69, 77, 81 sq., 86, 91, 95, 108, 115, 145, 174, 178, 188, 226, 228, 232, 240, 243.
Righteousness, 28, 30, 35, 37, 158, 178, 202, 204 sq., 207 sq., 209, 214 sqq., 219 sq., 226, 249, 256.

Rose, V., 68.
Rule, traditional, 37, 183 sq., 204, 220, 226.

S

Saying, 33, 160, 163, 175, 179, 202, 206, 216, 219, 228, 246.
Schaff, Ph., 118.
Scribes, 28, 63, 157, 178, 202, 216.
Scripture, Holy, 62.
Separation, 13, 24, 31, 101, 107 sq., 111, 113, 179, 188, 232, 240, 243.
Sermon on the Mount, 35, 212.
Shailer Matthews, 107.
Shammai, 40, 51, 160, 199 sq., 202, 234 sq.
Sister, i.e., a Christian woman, 25, 112 sq., 127, 142 sq.
Soden, von, 107.
Stanley, A. P., 102.
Stevens, G. B., 107.
Synagogues, 29, 155, 159, 164, 264.
Synoptic, 73, 77, 79, 82 sq., 91 sq., 95.

T

Tatian, 237.
Tempting question, 32 sq., 45, 65, 198 sqq., 219, 252.
Tertullian, 240.
Tischendorf, C., 240.
Toussaint, C., 102.
Tradition, Christian, 14, 22, 100, 106, 119, etc.
Jewish, 16, 29, 34, 38 sq., 155, 157, 162, 218, etc.
Trent, Council of, 5, 147.

U

Unclean, 25, 136.
Unfaithfulness, 7, 161, 175, 177, 179, 199, 225.
Unless for fornication, 187, 211 sqq., 240, 249, 259.
Unmarried, the, 23 sq., 26, 99, 109 sq., 126 sq., 129.

V

Virginity, 21.
Vulgate, 187.

W

Weiss, B., 46, 179, 207, 240.
Wendt, H. H., 59.
Westcott and Hort, 240.
Widows, 23 sqq., 99, 109 sq., 126, 129.
Winer, G. B., 141.

Y

Yod or Tittle, 28 sq., 80, 157 sq., 171, 178, 182, 202 sq., 212, 216, 230 sq.

# II. INDEX OF SCRIPTURAL PASSAGES


| PASSAGES | PAGES |
|---|---|
| Genesis: | |
| **i, 27:** | 34, 37, 39, 62, 191 sq., 195, 233, 256. |
| **ii, 24:** | 34, 37, 39, 62, 79, 81, 192, 195, 209, 233, 256. |
| **v, 1:** | 192. |
| Exodus: | |
| **xix, 15:** | 247. |
| **xx, 13:** | 155. |
| Leviticus: | |
| **xviii, 20:** | 54, 162, 173. |
| **xx, 10:** | 267. |
| Numbers: | |
| **v, 13, 14, 20:** | 54, 162, 173. |
| Deuteronomy: | |
| **v, 17:** | 155. |
| **v, 21:** | 215. |
| **xxii, 22:** | 267. |
| **xxiv, 1–4:** | 16, 29, 32, 49 sq. 53 sqq., 81, 160 sq., 263 sqq. |
| **xxiv, 1:** | 34, 49, 60, 218. |
| **xxiv, 2:** | 165. |
| **xxiv, 3:** | 165, 169. |
| **xxiv, 4:** | 54, 162, 267. |
| I Kings [Samuel]: | |
| **xxi, 4:** | 247. |
| Malachias: | |
| **ii, 13 sqq.:** | 265, 267. |
| St. Matthew: | |
| **v, 17:** | 80, 265. |
| **v, 17–20:** | 158 sq. |
| St. Matthew: | |
| **v, 21–22:** | 27, 154. |
| **v, 27–28:** | 27, 154 sq., 214. |
| **v, 31:** | 75, 152, 162, 165, 204, 206. |
| **v, 31–32** | 27, 31, 33, 151 sqq., 205. |
| **v, 32:** | 35, 36 sq., 39, 54, 74, 82, 152, 162 sqq., 206 sq. |
| **v, 33–37:** | 27, 154 |
| **v, 38–39:** | 27, 154. |
| **v, 43–48:** | 27, 154. |
| **vii, 29:** | 63. |
| **xi, 12–13:** | 78. |
| **xii, 2–3:** | 203, 208. |
| **xv, 3–6:** | 265. |
| **xvi, 1:** | 46. |
| **xix, 1–9:** | 79. |
| **xix, 3–12:** | 6, 31 sq., 40, 45, 151 sqq., 205, 251 sqq. |
| **xix, 3–7:** | 75, 189, 193. |
| **xix, 4:** | 235. |
| **xix, 4–6:** | 196, 208, 210, 254. |
| **xix, 6:** | 34, 39, 89, 102, 194. |
| **xix, 7:** | 212, 222, 257 sq. |
| **xix, 8:** | 89, 227, 233, 255, 257. |
| **xix, 8–9:** | 220 sq., 232, 237. |
| **xix, 9:** | 38, 74, 85, 89, 232, 237. |

PASSAGES PAGES

St. Matthew:
**xix, 10:** 40, 241 sqq., 244.
**xix, 11–12:** 41, 244 sqq.
**xxii, 17–18:** 46.
**xxii, 35–36:** 46.
**xxviii, 19 sq.:** 71.

St. Mark:
**i, 22:** 63.
**ii, 27:** 61.
**vii, 1–13:** 16.
**vii, 9–13:** 203.
**viii, 11:** 46.
**x, 1:** 70.
**x, 2:** 75.
**x, 2–9:** 60, 95.
**x, 2–12:** 15, 43 sq., 71, 73, 79, 82 sq., 95, 116, 149, 124, 251 sqq.
**x, 3:** 16, 47.
**x, 4:** 16, 48 sq., 256 sq.
**x, 5:** 17, 51, 89.
**x, 5–9:** 51.
**x, 6–8:** 18, 57.
**x, 6:** 57, 193.
**x, 7:** 256.
**x, 8:** 89.
**x, 9:** 18, 89, 102 sq.
**x, 10–12:** 63 sq., 95, 255.
**x, 11–12:** 87.
**x, 12:** 69 sqq.
**xii, 14–15:** 46.

St. Luke:
**iv, 32:** 63.
**x, 25:** 46.
**xi, 16:** 46.
**xvi, 14–15:** 20.

PASSAGES PAGES

St. Luke:
**xvi, 14–17:** 21, 78 sq., 82.
**xvi, 16:** 46, 78.
**xvi, 17:** 80.
**xvi, 18:** 19, 20 sq., 74 sqq., 81 sqq., 95, 116, 124, 149.
**xvi, 29, 31:** 79.
**xx, 22–23:** 46.

St. John:
**viii, 3, 4:** 268.

Romans:
**vii, 2–3:** 24, 115, 122.
**vii, 3:** 115.
**vii, 7:** 215.

I Corinthians:
**v, 12, 13:** 134.
**vii, 1:** 96.
**vii, 8–9:** 23 sq., 109 sqq.
**vii, 10:** 14, 23, 85, 118.
**vii, 10–11:** 22, 24, 71, 96 sqq., 112, 138, 150.
**vii, 11:** 23, 102.
**vii, 12–16:** 24 sq., 112 sqq., 123 sqq., 138 sqq. 150.
**vii, 39:** 24, 114, 122.
**viii, 1:** 96.
**xii, 1:** 96.
**xvi, 1, 12:** 96.

II Corinthians:
**vi, 14 sqq.:** 127.

Ephesians:
**v, 22–33:** 24, 116 sqq., 122.

Colossians:
**iv, 14:** 96.

I Timothy:
**iii, 15:** 14.

# III. INDEX OF JEWISH AUTHORITIES


Amram, D. W., 207, 264, 269.
Hillel, 51, 160, 199 sq., 202, 234 sq., 264.
Jewish Encyclopedia, 56, 269.
Josephus, 170, 175, 204.
*Life*, 170, 204.
*Antiquities of the Jews*, 70, 170 sq., 183, 190, 204.
Mielziner, M., 133, 209.
Montefiore, C. G., 209.
Philo, 170, 204.
Shammai, 40, 51, 160, 199 sq., 202, 234 sq., 242.
Schwab, M., 169 sq., 183, 192.
Talmud, 169, 183, 190, 192, 199, 214, 226, 246, 266.
Talmudic Treatises:
*Gittin*, 199, 214, 266.
*Nedarim*, 226.
*Qiddushin*, 169, 190.
*Sota*, 183, 199.
*Yebamoth*, 192, 246.
*Yoma*, 170.

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| 2 | 12 |
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| 4 | 14 |
| 5 | 15 |
| 6 | 16 |
| 7 | 17 |
| 8 | 18 |
| 9 | 19 |
| 10 | 20 |